

Appendix M-3
Project Memo on Limited English Proficiency (LEP) Analysis
and Approach

I-81 VIADUCT PROJECT

MEMO ON LIMITED ENGLISH PROFICIENCY (LEP)

ANALYSIS AND APPROACH

This memo was prepared early in the project to provide guidance for outreach efforts to populations in the project study area with limited English proficiency (LEP). These efforts will be implemented throughout the duration of the Environmental Impacts Statement (EIS) process. The memo provided an initial analysis of LEP populations in the project study area and describes the approach that will be used to ensure these populations have meaningful access to information on the I-81 Viaduct Project and opportunities to participate.

1 PROJECT OVERVIEW

The New York State Department of Transportation (NYSDOT) is proposing to rehabilitate, reconstruct, or replace Interstate 81 (I-81) from about Dr. Martin Luther King, Jr. East to Hiawatha Boulevard (the “I-81 Viaduct Project”) in the City of Syracuse, Onondaga County, New York. NYSDOT is also investigating modifications to interchanges on Interstate 690 between West Street and Teall Avenue and potential improvements on Interstate 481 from end to end.

As the principal north-south transportation route for commuters, travelers, and commercial vehicles within greater Syracuse, the I-81 corridor is important to the efficient movement of people and goods in and around greater Syracuse. With its direct access to Downtown Syracuse and many of the region’s destinations and employment centers, the highway also has a considerable influence on the character and economic vitality of the city and region. Nationally, I-81 is a major north-south transportation corridor that extends from Tennessee to Canada, providing links to major cities, such as Washington, D.C., Philadelphia, and New York City, via east-west connections.



In recent years, the I-81 corridor through Syracuse has been the subject of community and agency concern because of ongoing congestion and safety issues, as well as aging infrastructure. The I-81 Viaduct Project has been proposed to address structural deficiencies and nonstandard highway features in the I-81 corridor, while creating an improved corridor through the City of Syracuse that meets transportation needs and provides the transportation infrastructure to support long-range planning efforts.

NYSDOT and the Federal Highway Administration (FHWA) are preparing an Environmental Impact Statement (EIS) to assess and document the potential impacts of alternatives proposed to rehabilitate, reconstruct, or replace the I-81 viaduct in Downtown Syracuse. The EIS will address impacts on the built and natural environment, consistent with FHWA and NYSDOT environmental review procedures.

Meaningful participation from all interested and affected parties in the project study area is an important component of the I-81 Viaduct Project and its environmental review process; accordingly, efforts will be made to reach the approximately 6 percent of study area residents who have limited English proficiency, potentially reducing their ability to become involved in the project. Individuals with “limited English proficiency” (LEP) are those who do not speak English as their primary language, and who have limited ability to read, speak, write, or understand English. NYSDOT is committed to making its services, programs, and activities available, regardless of language barriers, and has prepared this memo to address language access needs for the project.

2 REGULATORY CONTEXT

As a recipient of federal funds, NYSDOT is required by law to assess the language needs of eligible service populations and to provide language assistance services that ensure meaningful access to transportation services, programs, and activities for LEP persons. The language access obligations of federal agencies and their recipients are defined by Title VI of the Civil Rights Act of 1964 and Executive Order 13166:

- *Title VI of the Civil Rights Act of 1964*, 42 U.S.C. § 2000d et seq., and its implementing regulations, state that no individual shall be subjected to discrimination on the basis of race, color, or national origin.
- *Executive Order 13166*, titled “Improving Access to Services for Individuals with Limited English Proficiency,” (65 FR 50121, August 16, 2000) is intended to address the potential for “discrimination on the basis of national origin” that may occur if language assistance



is not provided for individuals seeking services or benefits who are unable to speak, read, write, or understand English. The executive order directs Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide meaningful access to services and benefits for LEP persons.

The primary federal guidance document for implementing Executive Order 13166 is the U.S. Department of Justice (DOJ) Policy Guidance Document, titled “Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons With Limited English Proficiency” (65 FR 50123, August 16, 2000). This policy guidance sets forth compliance standards for providing meaningful access to LEP persons in a cost-effective manner and establishes four factors to be considered when deciding what reasonable steps should be taken to ensure such access, including (1) the number of LEP persons eligible to be served or likely to be encountered, (2) the frequency of contact with these LEP persons, (3) the nature and importance of the programs or services provided, and (4) the resources available and costs to provide language assistance services.

Building on the DOJ Policy Guidance, the U.S. Department of Transportation has developed its own Policy Guidance Document, titled “Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons,” (70 FR 74087, December 14, 2005), further clarifying the responsibilities of its own agencies in addressing the needs of the LEP populations they serve. FHWA subsequently prepared a *Limited English Proficiency Handbook* to provide state transportation agencies guidance on applying the four-factor analysis and meeting their LEP obligations.

NYS DOT is also subject to New York State Executive Order No. 26, titled “Statewide Language Access Policy” (October 6, 2011), which requires that state agencies providing direct public services translate “vital documents”—documents that contain information that is critical for obtaining government services and/or those that are otherwise required by law—into “the six most common non-English languages spoken by individuals with limited English proficiency in the State of New York” and provide interpretation services to LEP individuals in their primary languages in the course of providing services or benefits to such individuals. Agencies must also develop a language access plan that identifies “when and by what means the agency will provide or is already providing language assistance services.”

3 RELATED PLANS AND STUDIES



3-1 NYSDOT LIMITED ENGLISH PROFICIENCY PLAN

The NYSDOT prepared the *Limited English Proficiency (LEP) Plan* to assist the Department and its sub recipients with providing meaningful access to its services, programs, and activities for LEP individuals. The Plan outlines NYSDOT's approach for applying the four-factor analysis, including methods for first defining a service area, then identifying notable LEP populations within that service area using multiple sources of data. The Plan also identifies best practices for providing LEP access opportunities and language assistance as part of public involvement and community outreach efforts.

The statewide LEP Plan requires that a project-specific LEP plan be developed as part of the project's public involvement program. The purpose of this plan is to (1) identify the specific language groups with limited English proficiency within the project study area, (2) determine where these communities are located, and (3) evaluate cost-effective strategies for communicating and engaging with these members of the public. Plans should document the four-factor analysis conducted to identify LEP needs for the project and should identify the proposed language assistance strategies determined to be reasonable for the project. Other specific elements include:

- The geographic boundaries of the study area and those areas with large numbers of LEP persons,
- The specific languages of concern for those populations targeted for assistance,
- The community partners involved in outreach, and
- The ethnic media used for advertising purposes.

3-2 THE I-81 CHALLENGE STUDY

Planning for the I-81 corridor was initiated in 2008 with *The I-81 Challenge* planning study, a comprehensive effort to engage the Syracuse community in identifying, developing, and evaluating the options for the I-81 corridor. As part of the extensive public involvement efforts for *The I-81 Challenge*, the Syracuse Metropolitan Transportation Council (SMTC) developed a Limited English Proficiency Plan for the study, which was approved by NYSDOT in December 2010. The plan identified those areas with large numbers of LEP persons and the languages likely to be encountered within the Syracuse community and proposed an approach for providing language assistance during the project. The specific language assistance provisions and the degree of use for these resources were subsequently documented in two white papers addressing public outreach efforts for the study.



The four-factor analysis documented in the LEP Plan for *The I-81 Challenge* assessed LEP populations within Onondaga County as a whole and in Census tracts within ½ mile of I-81 between the I-481 interchanges. Several different communities for which limited English proficiency is a concern were identified, including concentrations around Syracuse University and on the north, east, and west sides of the city. The most common languages of concern were Spanish, Vietnamese, and Chinese. Other languages referenced in multiple data sources or by community organizations were Italian, Somali, Burmese, Bhutanese/Nepalese, and Arabic.

To address the needs of the identified LEP populations, public outreach for *The I-81 Challenge* included several strategies to help LEP persons be aware of their options for engaging with the project and project staff. According to White Paper #3 (SMTC, 2013), SMTC maintained a voice mailbox with a basic greeting in English, Spanish, and Vietnamese throughout the study, on which requests for information or language assistance could be left. Only one call was received on this line during the study, and the single caller did not leave a message.

For the May 2012 and May 2013 public meetings, flyers advertising the meetings included a note printed in English, Spanish, and Vietnamese about the availability of language assistance. In addition, numerous flyers were provided to the Spanish Action League prior to each meeting. Spanish interpreters were available at the meetings, and a language line was established for both meetings to provide instant interpretation between NYSDOT staff and any non-English speaking attendees; however, no attendees used these interpretation services.

4 FOUR-FACTOR ANALYSIS

As described in Sections 2 and 3, the fundamental element in assessing the language access needs for an agency or a project is an analysis that balances the four factors originally identified in the USDOJ policy guidance:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service;
2. The frequency with which LEP individuals come in contact with the program;
3. The nature and importance of the program, activity, or service provided to people's lives; and
4. The resources available and costs.



This “four-factor analysis” enables agencies or project sponsors to identify reasonable steps for providing meaningful access to their services, programs, or activities without imposing an undue burden on the agency or sponsor.

4-1 FACTOR 1: NUMBER OF LEP PERSONS IN STUDY AREA

The first step in providing meaningful language access for the I-81 Viaduct Project is to determine the languages spoken in the project area and to identify concentrations of persons with limited English proficiency. Information on languages spoken can be gleaned from multiple sources, including the U.S. Census Bureau, other state and local agencies, and community-based organizations. In general, per the NYSDOT LEP Plan, language services should be provided if the number of LEP persons for an eligible language group constitutes 1,000 people or at least 5 percent of people in the service or project area, whichever is less (NYSDOT, 2011, p. 18).

As described in Section 3.2, a four-factor analysis was previously completed for *The I-81 Challenge* in 2010. Many of the data sources consulted for that analysis were updated in subsequent years and were, therefore, revisited to update the analysis for the current stage of project development.

For the current analysis, the project study area will be defined as those areas within the City of Syracuse and the I-81/I-481 loop, as well as those areas outside the loop that are within ¼ mile of I-81 and I-481 (see Figure 1). This area generally corresponds with the study area to be used for the project’s environmental justice analysis, as recommended in the NYSDOT LEP Plan (p. 19). For Census-based data, the study area will encompass all Census tracts within or partially within these boundaries. For non-Census sources, the geographies may encompass larger areas, such as the Onondaga County boundaries or area school district boundaries.

4-1-1 Census Bureau Data

The U.S. Census Bureau publishes information on languages spoken at home as part of the Decennial Census file and as part of the American Community Survey (ACS). The ACS uses a smaller sample size than the Decennial Census, resulting in larger margins of error in the reported data; however, the ACS collects survey samples every year, rather than once every ten years, and therefore provides a more current “snapshot” of the nation’s demographics. As such, the NYSDOT LEP Plan recommends using ACS data for LEP analyses (NYSDOT, 2011, p. 20).

The LEP analyses contained herein is based on the ACS 5-year estimates for the period 2008 to 2012. ACS Table B16001—“Language Spoken at Home by Ability to Speak English for the



Population 5 Years and Over”—presents data on language proficiency for 39 individual languages and language groups. These languages can be further aggregated into four broad language categories: Spanish, Other Indo European Languages, Asian and Pacific Island Languages, and All Other Languages. In addition to the primary language spoken at home, ACS respondents were asked whether they could speak English “very well,” “well,” “not well,” or “not at all.” All persons who indicated they speak English less than “very well” are considered to have limited English proficiency.

Table 1 summarizes the language proficiency data for the project study area. This study area comprises 74 Census tracts, 55 of which make up the City of Syracuse and 19 of which lie outside the city boundaries in Onondaga County. The language proficiency data for the city and county are shown for comparison purposes.

Table 1: English Proficiency for Population 5 Years and Over

	Project Study Area	City of Syracuse	Onondaga County
Total Population	194,239	134,596	438,951
Population by Language Spoken at Home			
Speak Only English	166,272	111,929	394,725
Bilingual: Speak Other Language and English “Very Well”	16,789	13,212	27,847
LEP: Speak English Less than “Very Well”	11,178	9,455	16,379
Percent LEP Persons	6%	7%	4%

Source: U.S. Census Bureau, 2008-2012 American Community Survey

Overall, approximately 6 percent of persons residing in the project study area are considered to have limited English proficiency. When disaggregated into the four broad language categories, these LEP persons are somewhat evenly distributed across the Spanish, Other Indo-European Languages, and Asian and Pacific Island Languages groups (see Table 2). Note that the number of LEP persons, when broken down into these broad categories, does not constitute a large percentage of the total study area population:

- *Spanish*: 3,485 persons, 2 percent of study area population;
- *Other Indo-European Languages*: 3,253 persons, 2 percent;
- *Asian and Pacific Island Languages*: 3,073 persons, 2 percent; and,
- *All Other Languages*: 1,367 persons, 1 percent.



Table 2: LEP Persons by Primary Language Spoken

	Project Study Area		City of Syracuse		Onondaga County	
	LEP Speakers	% of LEP Population	LEP Speakers	% of LEP Population	LEP Speakers	% of LEP Population
Total LEP Population	11,178	100%	9,455	100%	16,379	100%
Language Groups						
Spanish	3,485	31%	3,202	34%	4,466	27%
Other Indo-European Languages	3,253	29%	2,261	24%	6,157	38%
Asian and Pacific Island Languages	3,073	27%	2,717	29%	4,057	25%
All Other Languages	1,367	12%	1,275	13%	1,699	10%

Source: U.S. Census Bureau, 2008-2012 American Community Survey

When further broken down into the 39 languages and language groups reported by the ACS, the number of LEP individuals speaking specific languages (other than Spanish) who could be targeted for outreach is generally much smaller. For example, even though the “Other Indo-European Languages” category collectively covers more than 3,000 people and makes up nearly a third of the study area LEP population, the category covers so many unique languages and language groups (20 total) that speakers of specific languages (e.g., Russian, Italian, Greek, Hindi, etc.) don’t account for very many LEP persons within the study area. Table 3 shows the most common languages or language groups with limited English proficiency for the study area.

Figure 2 shows the overall distribution of LEP persons in the study area. Of the 74 tracts that make up the study area, none has a total LEP population that exceeds 1,000 persons; however, 34 tracts have an LEP population that is at least 5 percent of that tract’s total population. Of these 34 tracts, 31 are within the City of Syracuse and 3 are outside the city boundaries. Table 4 presents the most common languages spoken by LEP populations on a tract-by-tract basis for the 34 Census tracts that meet the 5 percent threshold (i.e., LEP persons make up 5 percent or more of the tract’s total population).



Table 3: Most Common Language Groups for LEP Persons in Project Area

	LEP Speakers	% of LEP Population
Total Project Area	11,178	100%
Spanish	3,485	31%
Chinese	1,213	11%
African languages	842	8%
Other Indic languages ¹	733	7%
Vietnamese	676	6%
Other Asian languages ²	611	6%
Serbo-Croatian	573	5%
Arabic	431	4%

Source: U.S. Census Bureau, 2008-2012 American Community Survey

1: Other Indic languages cover those other than Hindi, Urdu, and Gujarati.

2: Other Asian languages cover those other than Chinese, Japanese, Korean, Mon-Khmer/Cambodian, Hmong, Thai, Laotian, and Vietnamese.

Table 4: Analysis of LEP Populations for Tracts Exceeding 5 Percent Threshold

Tract	LEP Pop.	% LEP in Tract	Neighborhoods (approximate)	Most Common Languages
NORTHSIDE				
1	126	27%	Lakefront	Vietnamese
3	119	8%	Court-Woodlawn	Chinese, Spanish
6	586	17%	Washington Square	Other Asian, Spanish, Arabic
5.01	240	14%	Washington Square, Northside	Chinese, Thai, Other Asian
7	335	22%	Northside	Vietnamese
8	150	7%	Northside	African languages
14	646	24%	Northside	Other Indic, African languages, Other Asian, Vietnamese, Laotian
15	754	29%	Northside	Other Indic, African languages, Vietnamese, Other Asian
23	196	12%	Prospect Hill	Vietnamese, Mon-Khmer, Other Indic, Italian



Table 4: Analysis of LEP Populations for Tracts Exceeding 5 Percent Threshold

Tract	LEP Pop.	% LEP in Tract	Neighborhoods (approximate)	Most Common Languages
NORTHSIDE (continued)				
24	310	16%	Hawley-Green	Spanish, Other Indic
17.01	188	9%	Lincoln Hill	Spanish
9	149	5%	Sedgwick	Greek, French Creole
10	233	7%	Eastwood	Spanish, Serbo-Croatian
18	133	5%	Eastwood	French, Serbo-Croatian
144	270	13%	Airport	Serbo-Croatian
EASTSIDE				
34	87	6%	University Hill, Near Eastside	Spanish, Chinese, French Creole
36.01	124	5%	Salt Springs	Spanish, Chinese
55	513	14%	Outer Comstock	Chinese, Serbo-Croatian
56.01	111	8%	University Neighborhood	African languages, Chinese
146	385	8%	East Syracuse	Russian, Vietnamese
61.02	234	12%	SW of South I-81/I-481 Interchange	Chinese, Japanese, Korean
161	167	8%	SW of South I-81/I-481 Interchange	Spanish, Italian, Korean, Arabic, Other Indic
SOUTHSIDE				
32	100	5%	Downtown	Persian
21.01	218	8%	Park Ave	Spanish, Arabic
29.01	314	11%	Tipp Hill	Spanish, Chinese
30	230	16%	Near Westside	Spanish
39	406	12%	Near Westside	Spanish
40	151	9%	Near Westside	Spanish
38	390	16%	Skunk City	Spanish
42	289	15%	Southside	Spanish, African languages
53	179	11%	Southside	African languages
51	98	5%	Elmwood	Spanish
54	236	8%	Brighton	Spanish, Urdu
58	111	5%	Brighton	Spanish

Source: Population and language data - U.S. Census Bureau, 2008-2012 American Community Survey



Table 4 demonstrates that LEP persons speaking specific languages or languages within particular groups are generally concentrated in specific portions of the study area:

- Spanish speakers are concentrated in neighborhoods west of I-81 and south of I-690;
- Chinese speakers are concentrated near Syracuse University, east of I-81 and south of I-690, with small concentrations north of I-690 in the Court-Woodlawn and Washington Square neighborhoods;
- Those who speak African languages are concentrated in the Southside and Northside neighborhoods;
- Other Indic language speakers are concentrated north of I-690 in the Northside, Prospect Hill, and Hawley-Green neighborhoods;
- Vietnamese speakers are concentrated in the Lakefront, Northside, and Prospect Hill neighborhoods; and,
- Serbo-Croatian speakers are concentrated on the northeast side, in the Eastwood neighborhood and other areas near the airport.

4-1-2 Other Data Sources

The NYS Education Department (NYSED) provides data on the English proficiency of students enrolled in the public schools on its Public Data Access Site. Only the number of students with limited English proficiency is reported, not the primary language spoken in the home. Table 5 summarizes the number of students considered to be limited English proficient for the six school districts overlapping the project study area (see Figure 3).

Table 5: Limited English Proficient Students by School District

School District	2012-2013 Enrollment	LEP Students	
Syracuse City School District	19,763	2,678	14%
North Syracuse Central School District	9,101	48	1%
Lyncourt Union Free School District	307	11	4%
Liverpool Central School District	7,271	-- ¹	--
Jamesville-DeWitt Central School District	2,870	39	1%
East Syracuse-Minoa Central School District	3,257	57	2%

Source: NYSED, Public Data Access Site, 2012-2013 Student Enrollment Data

1: When the counts of students with limited English proficiency is fewer than 5 students, the data is suppressed to prevent reporting personally identifiable information.



Consistent with the Census data, the largest concentration of LEP students in is the City of Syracuse, with relatively fewer LEP students in the outlying areas.

Refugee data available through NYS Office of Temporary and Disability Assistance (OTDA) Bureau of Refugee and Immigrant Affairs (BRIA) continue to show that large numbers of refugees are being resettled in Onondaga County. Between October 1, 2012 and September 30, 2013, 854 of the 3,710 refugees resettled in Upstate New York arrived in Onondaga County, making it the second most popular arrival county in the state. On a statewide basis, the most common countries from which refugees have resettled are Burma (Myanmar), Bhutan, Iraq, and Somalia. (NYS OTDA, 2013, p. 1-2) These data are also consistent with the Census data for the study area, which showed a prevalence of LEP persons speaking “Other Indic,” “Other Asian,” and African languages. County-specific data were requested from BRIA, but the WRAPS (Worldwide Refugee Admissions Processing System) data provided only showed the total number of arrivals per county and did not provide a breakdown of the country of origin for arrivals in Onondaga County.

4-1-3 Community-Based Organizations

Community-based organizations (CBOs) that represent or serve persons with limited English proficiency will be a key resource for the project team in targeting public outreach activities to study area LEP communities. To prepare the LEP Plan for *The I-81 Challenge*, SMTC coordinated with the following organizations to help identify critical language groups and potentially effective outreach strategies:

- City of Syracuse Department of Neighborhood and Business Development;
- Interfaith Works/The Center for New Americans (refugee assistance);
- Catholic Charities (refugee assistance);
- Syracuse City School District Refugee Assistance Office;
- SUNY-Upstate University Hospital; and
- Spanish Action League.

The most prominent language groups identified previously by these organizations were Spanish, Vietnamese, Burmese, Nepalese/Bhutanese, Somali, Arabic, and Bosnian (Serbo-Croatian), which is consistent with the current Census data and BRIA refugee data.

As part of the I-81 Viaduct Project, additional coordination with these organizations will continue in order to maintain and update LEP information.



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- Catholic Charities indicated that the most prominent languages for the LEP communities they support include Somali, Arabic, Burmese, Karen, Vietnamese, Swahili, Bhutanese/Nepali, and French (spoken by refugees from the Central African Republic).
 - The Spanish Action League stated that in addition to the Spanish-speaking communities found on the Southside and Westside, there is a growing Cuban presence in Eastwood and on the Northside.
 - The Syracuse City School District Refugee Assistance Program said that the predominant languages they encounter are Nepali, Burmese (versions of Karen, Kareni), and Arabic. They also serve a mixed population on the Westside, including Sudanese (Arabic) and Puerto Rican (Spanish) communities.
 - SUNY Upstate Hospital indicated they have encountered more than 100 different languages in providing outpatient and inpatient services.
 - Interfaith Works indicated they predominantly serve the refugee community on the Northside and suggested that a future World Refugee Day would be a great forum for outreach.
 - At time of this writing, staff has also reached out to the Westside Learning Center, the Chinese Students and Scholars Association at Syracuse University, and the Center for International Services at Syracuse University, and as a result an informational session was planned for the ESL class at the Westside Learning Center to explain the project to attendees.

Anecdotal reports suggest that the Chinese-speaking LEP community in the study area may not be in need of extensive outreach and accommodation due to its transient nature. The largest concentrations of Chinese speakers are located on the Eastside and consist of graduate or post-doctoral students at Syracuse University and their families. They are generally not long-term residents that would be affected by the project; therefore, despite the large numbers of Chinese speakers within the study area LEP population, providing meaningful access to project information and opportunities to participate would not necessarily be as essential for this community as it would be for long-term LEP residents (such as the refugee communities being resettled on the Northside).

Per the direction of the Regional Title VI coordinator, project staff members conducted further research to attempt to substantiate the transient nature of the Chinese-speaking LEP population on the Eastside. Staff spoke with a realtor (recommended by the Title VI coordinator) for the Eastside, who indicated that the Chinese population on the Eastside predominantly consists of professors, professionals, graduate students, and renters. Staff also



reviewed additional Census data on age, student enrollment, employment status, and industry in which employed to identify any potential correlation between LEP status and occupation on the Eastside (see Attachment 1). While this information indicates there are a large number of students and persons employed in the educational services industry on the Eastside, the data doesn't suggest that the Eastside LEP community consists largely of students with short-term interests. Staff will continue to reach out to local groups that may be able to provide information on the nature of the Chinese-speaking LEP population in this area.

4-1-4 Conclusions

Based on the data outlined in the previous sections, the most common non-English language groups with limited English proficiency in the I-81 Viaduct Project study area are Spanish, Chinese, Somali, Vietnamese, Serbo-Croatian, Arabic, and Other Indic and Asian languages, such as Nepali, Burmese, and others spoken in Bhutan. Of these common languages, the one expected to be most regularly encountered in the project study area is Spanish.

As noted above, despite the large number of Chinese speakers in the LEP population, this community is not expected to be regularly encountered during the course of this project due to the relatively transient nature of the University-associated population.

4-2 FACTOR 2: FREQUENCY OF CONTACT

Contact with study area LEP populations would be expected throughout the duration of the I-81 Viaduct Project. Project information will continually be available to the public through the project website, the project information hotline, and the Project Outreach Center (described in Section 5-2). Additional outreach activities to inform and solicit input from the public will be ongoing throughout the EIS process, including small group meetings, larger public information meetings, and formal public meetings at key project milestones. Outreach may also include "intercept events," consisting of staffed displays at the New York State Fair and other community events. LEP populations would likely be encountered through all these public outreach activities, particularly at any small group meetings targeting areas with concentrations of specific LEP groups.

4-3 FACTOR 3: IMPORTANCE OF PROGRAM OR ACTIVITIES

Modifications to I-81 and its surrounding highways and roads may have environmental, transportation, social, and economic consequences for the entire City of Syracuse and the larger metropolitan region. Communities closest to the proposed modifications, including many



with identified LEP populations, would be the most susceptible to physical and environmental impacts; therefore, it will be important to ensure these communities have meaningful access to information on the I-81 Viaduct Project and its anticipated impacts, as well as timely opportunities to ask questions, express concerns, and provide comments on the alternatives under consideration. Denial or delay of access to project information and comment opportunities would not have serious or life-threatening implications, but given that project impacts could present quality-of-life concerns for LEP populations, reasonable steps to provide language access services throughout the I-81 Viaduct Project will be taken.

4-4 FACTOR 4: RESOURCES AND COSTS

Policy guidance on language access obligations sets forth flexible standards that recognize agencies and project sponsors don't have unlimited resources for providing language assistance. Taking "reasonable steps" to provide meaningful access means balancing an area's needs with the resources available and targeting language access services to those LEP individuals expected to be most regularly encountered.

For the I-81 Viaduct Project, NYSDOT has allocated funds for dedicated LEP outreach as part of the project scope. In addition, the local Title VI coordinator for the NYSDOT Regional Office has been assigned to oversee Title VI activities and reporting requirements for the project. Anticipated language assistance services include (1) oral interpretation for public information meetings and hearings, for targeted small group meetings, and for the Project Outreach Center; and (2) written translations for meeting notices and advertisements. Interpreters may also translate oral comments from LEP persons into written English for the public comment record. Oral interpretation could include in-person language interpreters and access to a "language line" service, which provides on-demand interpretation via the phone (e.g., LinguaLinx).

5 PROPOSED APPROACH TO ENSURE ACCESS

As shown in Section 4, 6 percent of the population in the I-81 Viaduct Project study area consists of persons with limited English proficiency. To ensure meaningful access for these non-English speakers to project-related information and opportunities to provide input, NYSDOT will offer language assistance services and deploy a targeted outreach approach. The Department's approach will focus on interpretation and translation services to Spanish, which is the non-English language expected to be most commonly encountered in the study area. Resources will also be available to provide language assistance, on request, for persons speaking less



commonly encountered languages. Notices will be provided on project flyers, newsletters, and documents directing non-English speakers to contact the project team if language assistance is required.

5-1 NOTIFICATION OF RIGHTS

NYS DOT currently notifies its LEP customers of their language access rights via posters throughout the Regional Office. For the project, NYS DOT will inform LEP persons of their right to access language services at no cost via notices inserted into the text of project flyers, newsletters, and advertisements. Notices will be provided in Spanish, the most common non-English language spoken by LEP individuals in the project study area. At the Project Outreach Center and at outreach events, the New York State Language Identification Tool—a letter-size page that includes translated notices in 34 languages—will be used to notify LEP persons that interpretation services are available and to invite them to request these services, if needed.

5-2 OUTREACH EFFORTS

The overall public outreach effort for the project will include numerous opportunities for the public to attend informational meetings and formal meetings such as the scoping meetings and public hearing. Meetings will be advertised through flyers, e-flyers distributed via the area school districts' email systems, posted notices, and the news media, including translated advertisements to be published in *CNY Latino*, the local-Spanish language newspaper. Translated flyers will be distributed through partnerships with the CBOs that serve the LEP community (see below), and have been and will continue to be distributed to or posted in communal locations within LEP neighborhoods, such as groceries and other retail stores, places of worship, and community centers. Language assistance for these large public meetings will be provided via on-site interpreters in Spanish, and meeting flyers will note that additional interpretation services will be available upon request.

During planning for *The I-81 Challenge*, the local CBOs suggested that coming to local centers where LEP populations congregate to directly engage with the LEP communities on a face-to-face basis would be the most effective means of encouraging participation (SMTC, 2011, p. 8). Accordingly, the project team plans to hold targeted, smaller group meetings in areas that include LEP populations. Interpreters in key languages of concern for the targeted areas will attend and help facilitate meetings. Staff also plans to take project information to several “intercept events,” which may include local festivals geared towards particular LEP



communities. To best target these outreach efforts, project staff has and will continue to reach out to the following CBOs:

- *English Language Institute of Syracuse University:* This intensive ESL (English as a second language) service provider caters to both a general audience and specifically to students of Syracuse University. Their connection to the University population is anticipated to assist with any outreach to the Chinese language-speaking community, if needed.
- *Catholic Charities of Onondaga County:* Catholic Charities provides English language translation services as part of their refugee resettlement programming. Their services target a range of age groups, from youth to the elderly. Project staff has contacted the organization to coordinate a project meeting with one of the group's citizenship classes to reach out to the African, Indic, and Asian language-speaking refugee communities on the Northside, as well as the Vietnamese community.
- *Syracuse Central School District:* The SCSD provides ESL classes to assist students and their families.
- *Spanish Action League of CNY:* The Spanish Action League provides interpretation and translation services to the Spanish-speaking community within Onondaga County. Their programming also features Spanish language media, including the Sabor Latino radio show on 620 AM Syracuse (and online). The Spanish Action League's programs and services reach many participants throughout greater Syracuse. Project staff has been in contact with the League and has been working with them on community outreach.

The project website, project hotline, and Project Outreach Center provide additional opportunities to provide meaningful access to project information for study area LEP populations.

- *Project Website:* www.i81opportunities.org. At present, the project website includes links to NYSDOT's notification of language access rights in the six most common languages spoken by LEP individuals in New York State (Spanish, Chinese, Russian, Italian, Korean, and Haitian Creole).
- *Project Hotline:* 1-855-I81-TALK (1-855-481-8255). Language assistance notices in printed materials currently direct those needing assistance to the project hotline. At present, the hotline is staffed during business hours and forwards to a voice mailbox during non-business hours. Staff who answer the hotline only speak English, but can get interpretation assistance for callers who request it via the Language Line. The recorded greeting on the voice mailbox is currently in English, and callers can leave a message with questions, comments, or requests for language assistance.



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- *Project Outreach Center:* The I-81 Viaduct Project Outreach Center is located in the historic Carnegie Building at 335 Montgomery Street in Syracuse and is open Tuesdays, Wednesdays, and Thursdays from 11:00 a.m. to 2:00 p.m. The center is staffed by two members of the project team and has access to a computer. The center uses the New York State Language Identification Tool and “Language Line” to assist visitors with requests for language assistance.

As part of the notification process for the project, NYSDOT will maintain a contact list of LEP individuals and related organizations for use in project communications.

5-3 LANGUAGE ASSISTANCE SERVICES

The two primary ways to provide language assistance services are oral interpretation and written translation. Per the NYSDOT LEP Plan, oral interpretation services can range from on-site interpreters to on-demand telephonic interpretation services, and written translation services can range from translating an entire document to just a short description of the document (NYSDOT, 2011, p. 32). In-language communications between an LEP individual and a bilingual staff person are generally not considered interpretive, but are a valuable means of providing meaningful access for LEP individuals.

5-3-1 Interpretation

Interpretation services will be provided for LEP populations for free and upon the request of LEP individuals. Services will be provided at major project events (e.g., public hearings) via on-site interpreters and an on-demand telephonic interpretation service provided through a qualified private contractor. On-site interpreters will be provided for Spanish speakers. Interpreters for other languages will be provided on-site, upon request and as available, if requested at least five business days prior to the meeting. For other interpretation needs, LEP individuals requiring services will be directed to use the NYS Language Identification Tool to identify their language needs, and will then be connected to an interpreter by project staff over the phone (Language Line). Once connected to the appropriate interpreter, the LEP individual and project staff member may communicate with one another using the interpreter as an intermediary.

Interpretation services will also be provided during the targeted meetings planned in areas with LEP communities. The specific language needs of the targeted area will be assessed prior to the meeting, in coordination with the NYSDOT Regional Title VI coordinator, who will determine whether interpreters for key languages should attend the meeting. Meetings on the Southside



and Westside are most likely to require Spanish interpreters. Meetings held on the Eastside could require Chinese interpreters. The Northside LEP communities have a more diverse range of primary languages spoken, and a variety of interpreters may be needed for Vietnamese, African, Indic, and Other Asian languages depending on the meeting location and target audience. Meetings coordinated with ESL or citizenship classes may be most beneficial in reaching this more diverse group of non-English speakers, as project information could be communicated in a setting where the ESL instructor should be able to manage a broader range of interpretation needs.

Only qualified interpreters with demonstrated competency in conveying information in both languages, accurately and completely, will be used to provide interpretation services. For the I-81 Viaduct Project, interpreters will have knowledge in both languages of specialized terms or concepts for a major transportation project. Volunteers, friends, or family members whose competence has not been assessed should not be relied upon to interpret, nor should minor children (under 18).

5-3-2 Translation

Written translation services will focus on Spanish, the language other than English regularly encountered in the study area. Spanish versions of project flyers, meeting notices, and advertisements may be prepared; the need for these translations will be determined on a case-by-case basis by the Title VI coordinator. Certain flyers, meeting notices, and advertisements may also be translated into other languages, as needed and appropriate. Project documents produced in English will include translated notices in Spanish directing non-English speakers to contact the project team if translation assistance is required. Written translations of newsletters and project flyers can be prepared, on request and as available, for languages other than Spanish at no cost to the requestor. In general, written translations of project materials may not be necessary for many LEP communities, because literacy can be an issue in the native language for some groups, as noted by the local CBOs during the planning for *The I-81 Challenge* (SMTC, 2011, p. 8).

Vital documents are those that contain information that is critical for obtaining federal services and/or those that are otherwise required by law. Examples of vital documents include the following:

- Applications;
- Consent & compliance forms;



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- Notices of rights;
 - Advertisement notices of free language services;
 - Letter/notices that require response; and,
 - Publications (posters, meeting advertisements, etc.).

Unless otherwise deemed necessary during the course of the study, translations of environmental documents (such as the scoping report and Environmental Impact Statement) will not be provided. If requested, and as appropriate, NYSDOT can employ services to provide oral interpretation of these documents, in lieu of a written translation.

5-4 MONITORING AND EVALUATION

NYSDOT will monitor the effectiveness of LEP outreach throughout the course of the I-81 Viaduct Project to ensure that LEP communities are provided with meaningful access to the project. Monitoring will involve regular oversight of the outreach activities by project staff, as well as periodic modifications to this memo, as deemed necessary, to ensure that planned activities and language assistance services remain relevant, adequate, and viable.

Important considerations for evaluating the ongoing effectiveness and adequacy of the LEP program may include, but are not limited to, the following:

- Updated information on LEP populations in the service area,
- Frequency of encounters with LEP language groups,
- Changes in costs or the availability of resources,
- Whether identified sources for assistance are still available and viable, and
- Availability of new technologies for language assistance, new community partners, or additional resources.

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