

FY 23 - FY 25 Language Access Plan

**Multnomah County Drainage District #1, Peninsula
Drainage District #1, Peninsula Drainage District #2,
Sandy Drainage Improvement Company, and
Urban Flood Safety & Water Quality District**



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Purpose:

Multnomah County Drainage District (MCDD), Peninsula Drainage District #1 (PEN1), Peninsula Drainage District #2 (PEN2), Sandy Drainage Improvement Company (SDIC) and the Urban Flood Safety & Water Quality District (UFSWQD), collectively known as the “Districts,” are committed to taking reasonable steps to provide equitable and meaningful access to programs, services, activities, and communications to members of the public who do not speak English as their primary language and experience institutional language barriers. The Districts deem Language Access an important part of equity and human rights. As a recipient of federal financial aid, it is the policy of Districts that no person be discriminated based on their national origin, including any persons with limited English proficiency (LEP). This Language Access Plan ensures that, consistent with Title VI, State, and local law, persons with limited ability to speak, write, or understand the English language have timely, meaningful access to federally funded programs, activities, and services provided by the Districts. As such, the Drainage Districts have created this Language Access Plan (LAP) to establish recommendations for providing Language Access Services to LEP populations that live, work, travel, and/or recreate within the levee protected area.

For individuals with levels of limited English proficiency, it may be challenging to understand and exercise important rights, comply with relevant responsibilities, or understand vital information provided by the Districts. Thus, the Districts will provide timely, free-of-charge language assistance services and resources, in order to ensure meaningful access to District programs, federally funded or otherwise. This Language Access Plan seeks to reduce language barriers that may preclude LEP individuals from meaningful access to rights, programs, information, services, and effective communication with District staff.

This LAP is established in accordance with the Non-Discrimination Policy for Public Accommodation adopted by the Drainage Districts in the Fall of 2021.

This LAP is also established in accordance with Executive Order 13166, which requires that recipients of Federal financial assistance “provide meaningful access to their [Limited English Proficient] applicants and beneficiaries.”¹

The Department of Justice provides guidance on establishing a LAP that is designed to be “flexible and fact-dependent” while suggesting a “balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small business, small local governments, or small nonprofits.” Federal guidelines from the Department of Justice suggest

¹ <https://www.federalregister.gov/documents/2000/08/16/00-20938/improving-access-to-services-for-persons-with-limited-english-proficiency>

an assessment of the following four factors to determine the extent to which the Districts shall provide language assistance services to residents within its service areas:

- “(1) The number or proportion of LEP persons eligible to be serviced or likely to be encountered by programs or grantee;
- (2) The frequency with which LEP individuals come into contact with the program;
- (3) The nature and importance of the program, activity or service provided by the program to people’s lives;
- (4) The resources available to the grantee/recipient and costs.”²

This LAP uses the four factors analysis as guidance for determining the extent of the Drainage Districts’ obligation for providing meaningful access for LEP.

Beyond the Four Factors analysis, this LAP also provides recommendations for establishing procedures, staff training, providing notice to LEP individuals, and tracking and evaluating outcomes of providing language access services.

Definitions:

This Language Access Plan uses the following terminology:

Limited English Proficiency (LEP): Individuals who do not speak English as their primary language and have limited ability to read, speak, write or understand English can be Limited English Proficient, or “LEP”

Translation: The replacement of written text from one language (the source language) to another (the target language)

Interpretation: The immediate oral communication of meaning from one language (the source language) into another (the target language)³

Introduction to the Districts:

MCDD, PEN1, PEN2 and SDIC (the “Legacy Districts”) help protect lives and property from flooding by operating and maintaining a flood management system for nearly 20 square miles of land along the Columbia Slough and lower Columbia River. This system helps protect thousands of residents, Portland’s secondary source of drinking water, 2,000 acres of natural and recreational areas, and important economic assets such as the Portland International Airport.

² <https://www.federalregister.gov/documents/2002/06/18/02-15207/guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against-national>

³ <https://www.lep.gov/commonly-asked-questions>

In 2019, the Oregon Legislature established the Urban Flood Safety & Water Quality District (UFSWQD), which will ultimately replace the four Drainage Districts that manage the flood safety system today (PEN1, PEN2, MCDD, SDIC). The UFSWQD was created to establish a safer, modern, and sustainable way to manage flood safety along the Columbia River in the Portland region. The UFSWQD includes new statutory requirements to integrate equity, climate preparedness, environmental improvements, and cultural history into flood safety activities, and encompasses a much larger geography – all of Multnomah County within the Urban Growth Boundary – which reflects the area that receives the greatest economic benefit due to the activity and infrastructure made possible by the flood protection infrastructure in northern Multnomah County.

Between FY22 and FY24, staff, board members and partners are working to develop funding structures related to a new operating revenue and capital investments for the UFSWQD.

The scope of this LAP encompasses the ongoing activities of the historic districts (MCDD, PEN1, PEN2, SDIC) as well as the activities related to establishing the UFSWQD. This LAP will be updated once the UFSWQD is operational (anticipated for FY25), and every two subsequent years.

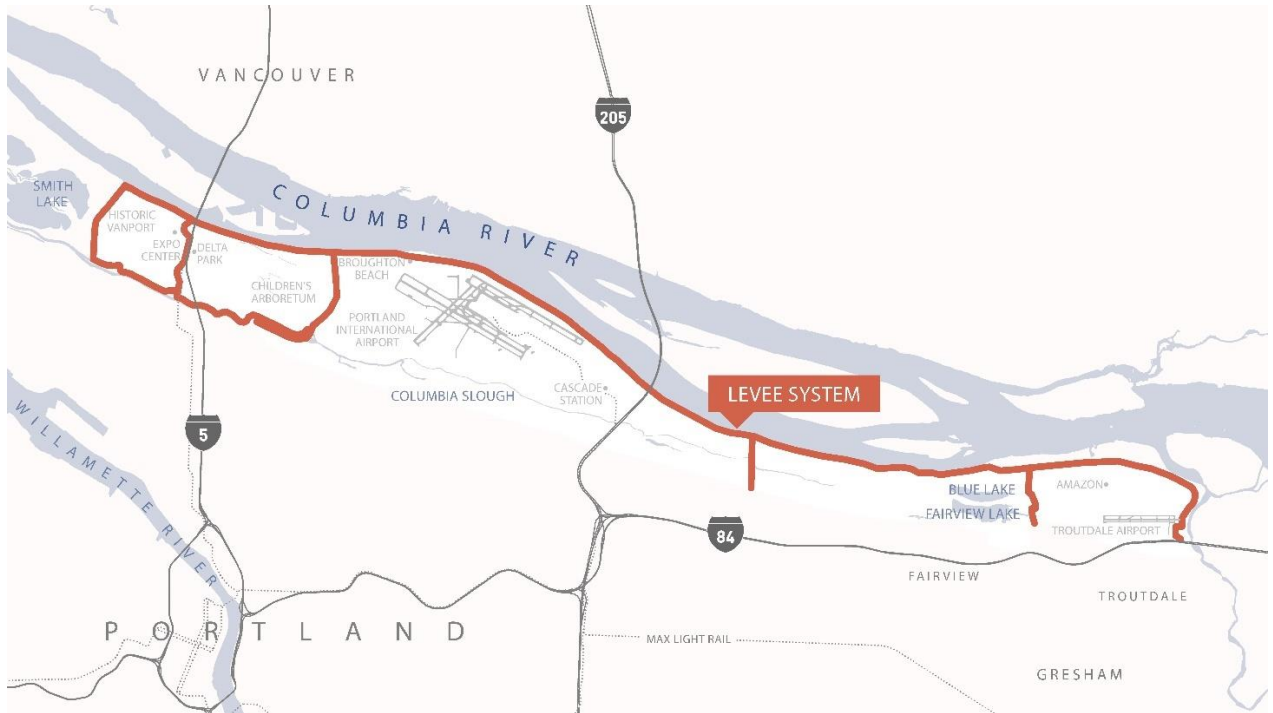
Four Factors Analysis:

(1) Identifying LEP Populations

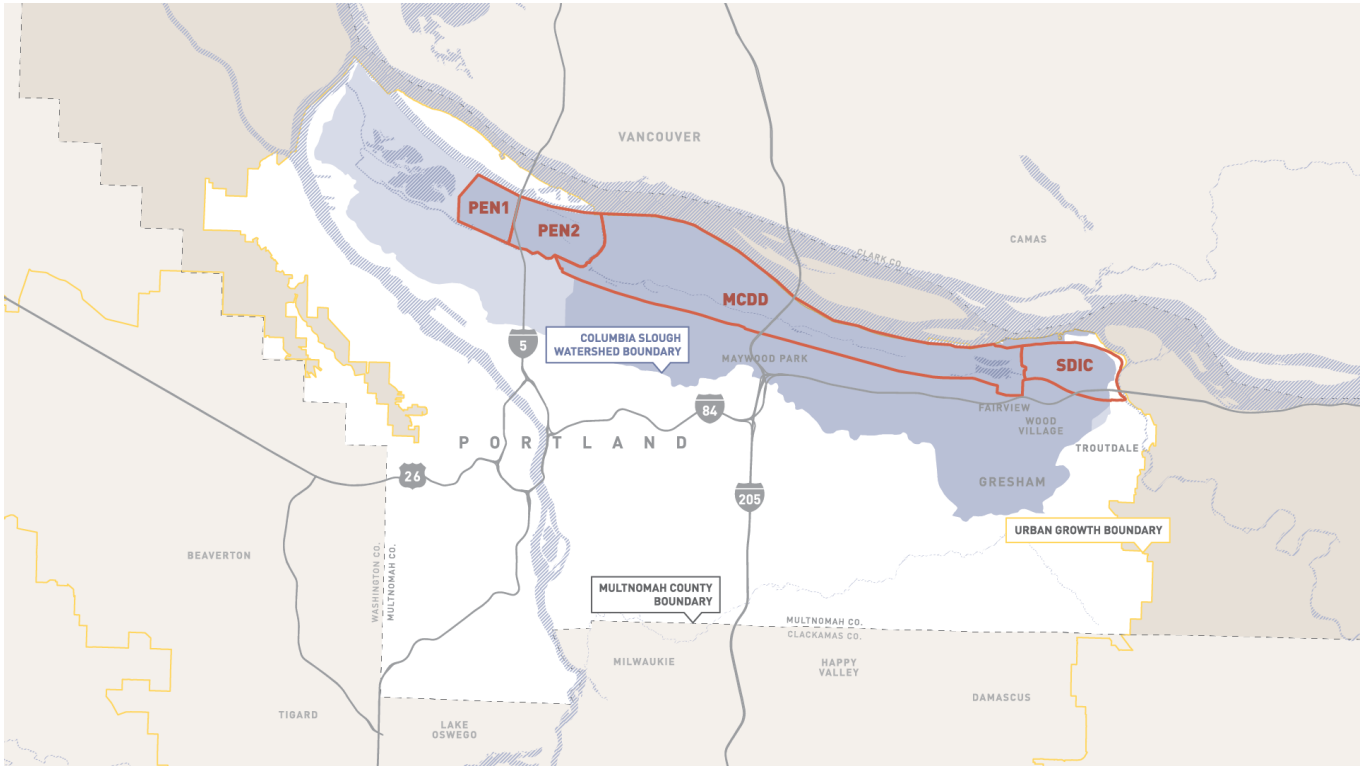
Service Area Geography

The LEP populations needing language assistance includes LEP individuals who live, work, travel, and/or recreate within the managed floodplain. For the purposes of this LAP, the managed floodplain is defined as the area of land that is protected by the flood safety system along the lower Columbia River (Map 1). Additionally, because the UFSWQD will have a geographically larger constituent base, any LEP individual who lives within urban Multnomah County should be considered in this LAP.

Map 1: Managed Floodplain Geography:



Map 2: UFSWQD and Columbia Slough Watershed Boundary:



LEP Individuals within Service Area Geographies

Due to limited data availability, this LAP will focus on LEP household data within these geographies, with the recognition that there are likely LEP individuals that work and recreate within the managed floodplain and the larger UFSWQD boundary that also benefit from Drainage District services.⁴ This LAP will be updated to include additional employer and recreational data as resources, tools, and organizational capacity become available.

⁴ This analysis primarily relies on American Community Survey data from the U.S. Census Bureau. It worth noting that the U.S. Census Bureau categorizes languages spoken into a [Four Group Classification](#) system that includes the following categories: Spanish, Other Indo-European Languages, Asian and Pacific Islander Languages, and Other Languages. While this categorization helps with anonymity, it groups different languages into very large categories, making it difficult to identify the presence of specific Non-English languages spoken other than Spanish. This LAP supplements U.S. Census Bureau data with local data from Multnomah County and the City of Portland to help identify the possible languages spoken within the Districts' service area.

Table 1 shows the proportion of LEP households by the various District geographies and language spoken. Of these geographies, the percentage of LEP households is highest within the managed floodplain. Within the managed floodplain, 4.4% of all households are LEP. The percentages are similar and slightly less for the Columbia Slough Watershed and the UFSWQD – 4.2% and 3.8%, respectively.

Spanish is the most prevalent language spoken by LEP households in the Columbia Slough Watershed and UFSWQD geographies, with the Columbia Slough Watershed geography having the highest percentage of Spanish-speaking LEP households across all geographies (1.9%). The most common languages spoken by LEP managed floodplain households are Spanish (1.4%) and Other Languages (1.4%). The latter is significant, as it could encompass Native American Languages, Arabic Languages, languages of Western, Eastern, Central or Southern Africa, or other languages that fall within the “Other Languages” Census Bureau language category.⁵ Below, this LAP reviews the prominent non-English languages spoken within Multnomah County to help identify specific language groups that may be represented by this data.

Table 1: Limited English-Speaking Households (% of total households) by Geography

Geography	Total	Spanish	Other Indo-European Languages	Asian and Pacific Islander Languages	Other Languages
Managed Floodplain	4.4%	1.4%	0.3%	1.2%	1.4%
Columbia Slough Watershed	4.2%	1.9%	0.6%	1.1%	0.9%
UFSWQD Boundary	3.8%	1.3%	0.7%	1.6%	0.9%

Source: American Community Survey, 5-year Estimates, 2019

Concentrations of LEP Households across Geographies

As shown in Maps 3-7 below, the concentration of LEP Households vary throughout the managed floodplain, the Columbia Slough Watershed, and the UFSWQD geographies.

Within the managed floodplain itself, the western half of MCDD has a higher concentration of LEP households than other areas within the managed floodplain (Map 3).

⁵ <https://www.census.gov/topics/population/language-use/about.html>

Within the Columbia Slough Watershed there is a greater percentage of LEP households in the Cully and Parkrose Neighborhoods, parts of Gresham, and Wood Village. Though the managed floodplain may have a greater total proportion of LEP households than the Watershed as a whole, these geographies within the Watershed have a higher percentage of LEP households (8.5% or greater) than any census tract within the managed floodplain.

Similarly, though the UFSWQD geography may have a smaller percentage of LEP households overall than the managed floodplain or the Columbia Slough Watershed, the highest concentrations of LEP households (19% or greater) within the UFSWQD are mostly located outside of both the managed floodplain and the Columbia Slough watershed in parts of East Portland and Gresham (Map 5).

There is a similar pattern distribution of LEP households within specific language groups. For instance, the highest concentrations of Spanish-speaking LEP households with the UFSWQD boundary (11% or greater) are in the Cully Neighborhood, Wood Village, Troutdale, and parts of East Portland and Gresham (Map 6). The highest concentrations of LEP households that speak an Asian Pacific Islander language with the UFSWQD (11% or greater) are mostly located outside of both the managed floodplain and the Watershed in parts of East Portland and Gresham, with the exception of the Cully Neighborhood (Map 7).

Language Access Implications:

Based on this data, the Drainage Districts should provide language access services to LEP populations across all U.S. Census Bureau language categories – “Spanish”, “Asian Pacific Islander Languages”, “Other Indo-European Languages”, and “Other Languages.” Because the latter categories are broad, the Drainage Districts should provide language access services for the non-English languages with these categories that are most prominent in Multnomah County:⁶

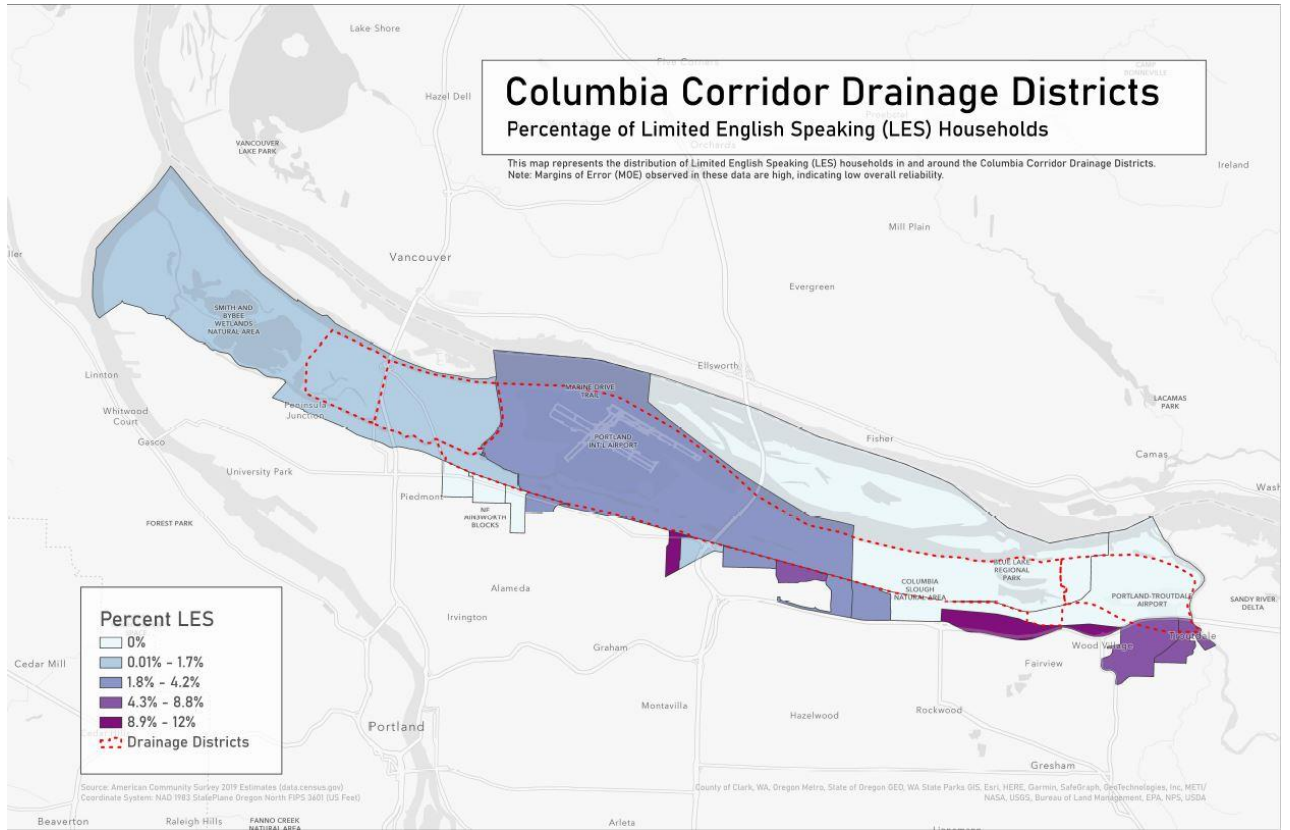
- Spanish
- Asian Pacific Islander Languages:
 - o Vietnamese
 - o Chinese (Including Mandarin, Cantonese)
- Other Indo-European Languages
 - o Russian
- Other Languages:
 - o Somali
 - o Swahili

Based on the total percentage and geographical distribution of LEP households within the various geographies, providing language access services for Spanish-speaking LEP individuals should be prioritized, especially when communicating with populations in the Cully

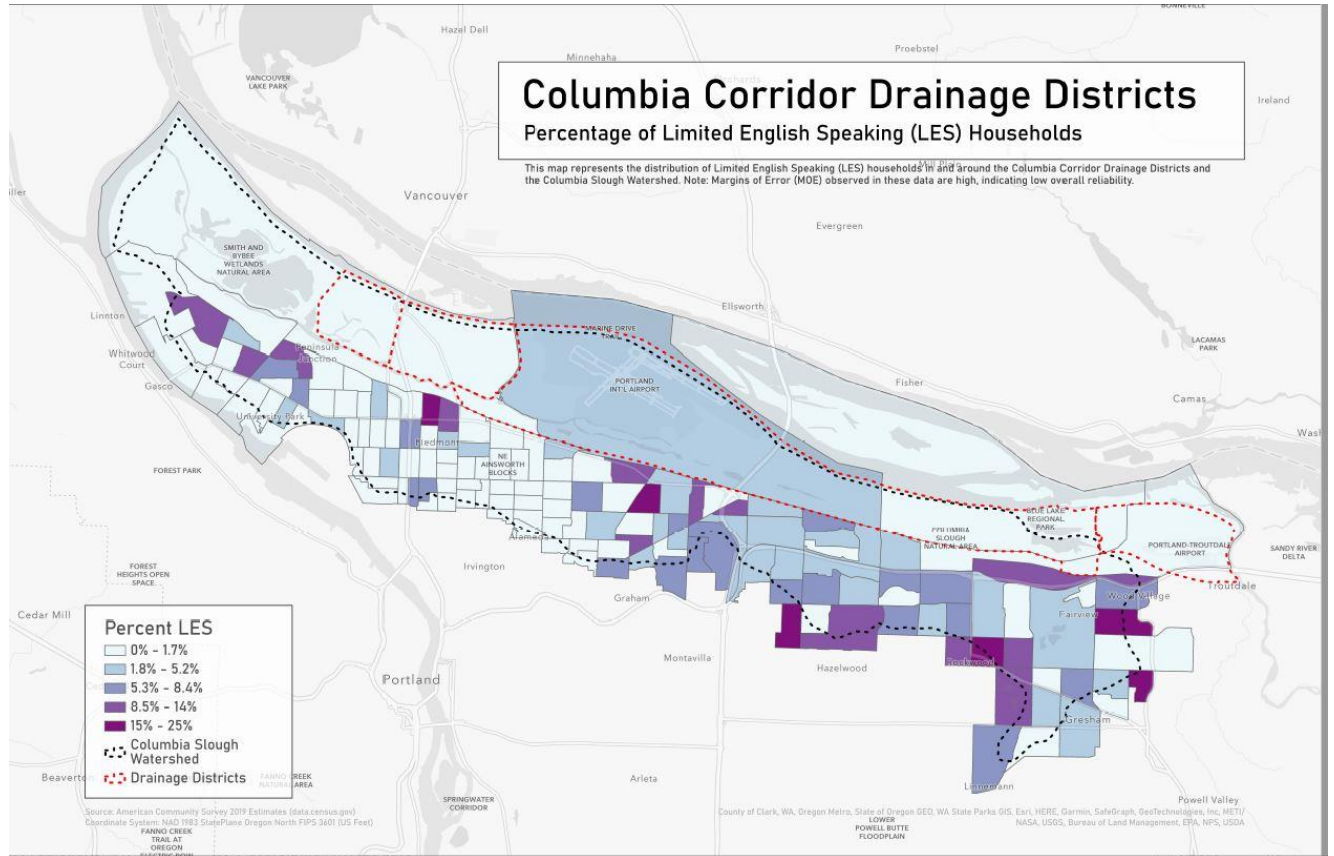
⁶ <https://www.portlandoregon.gov/oehr/article/784019>

Neighborhood, Wood Village, and outside of the Watershed boundary in East Portland and Gresham. However, the notification of language access services should be made available in Spanish, Vietnamese, Chinese, Russian, Somali and Swahili. Establishing language access systems for the Somali and Swahili-speaking populations is particularly important within the managed floodplain, as these are languages most likely to be represented by relatively substantial “Other Languages” category within this geography.

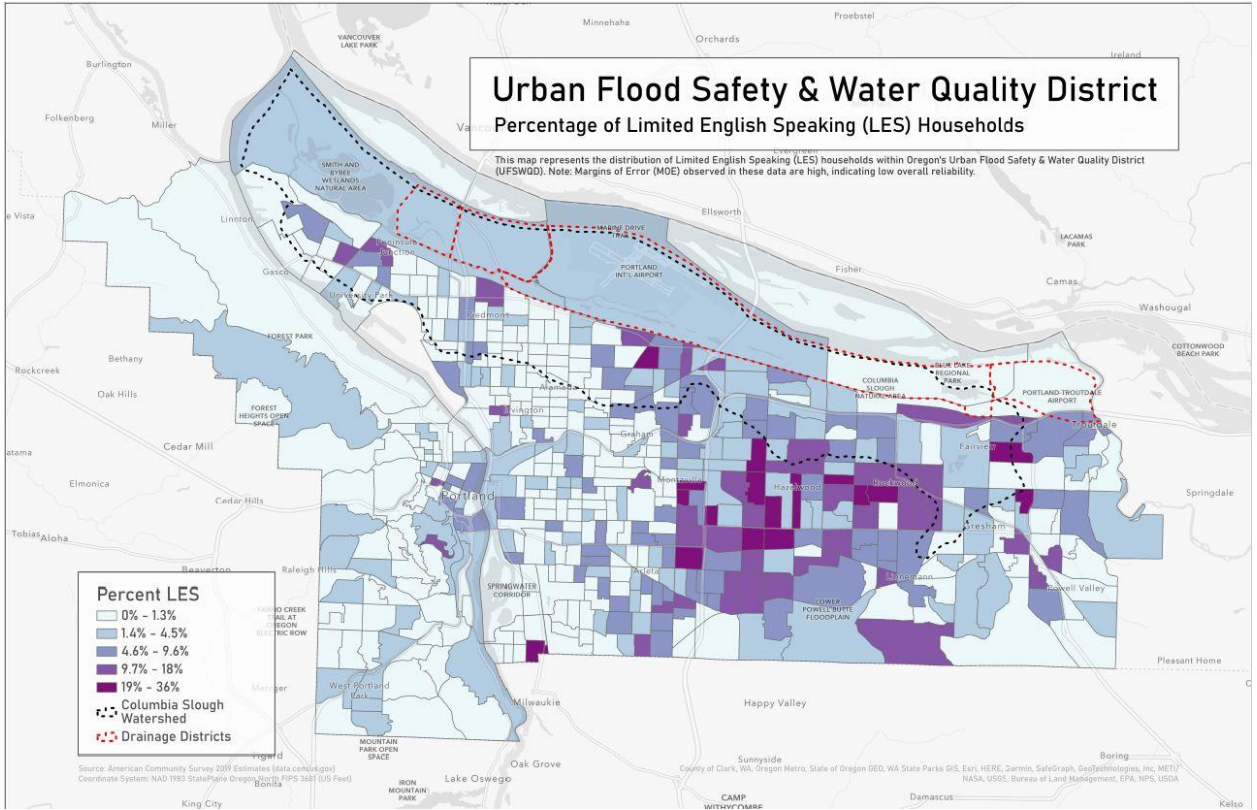
Map 3: Percentage of LEP (or Limited English Speaking – LES) Households within the Drainage Districts (managed floodplain)



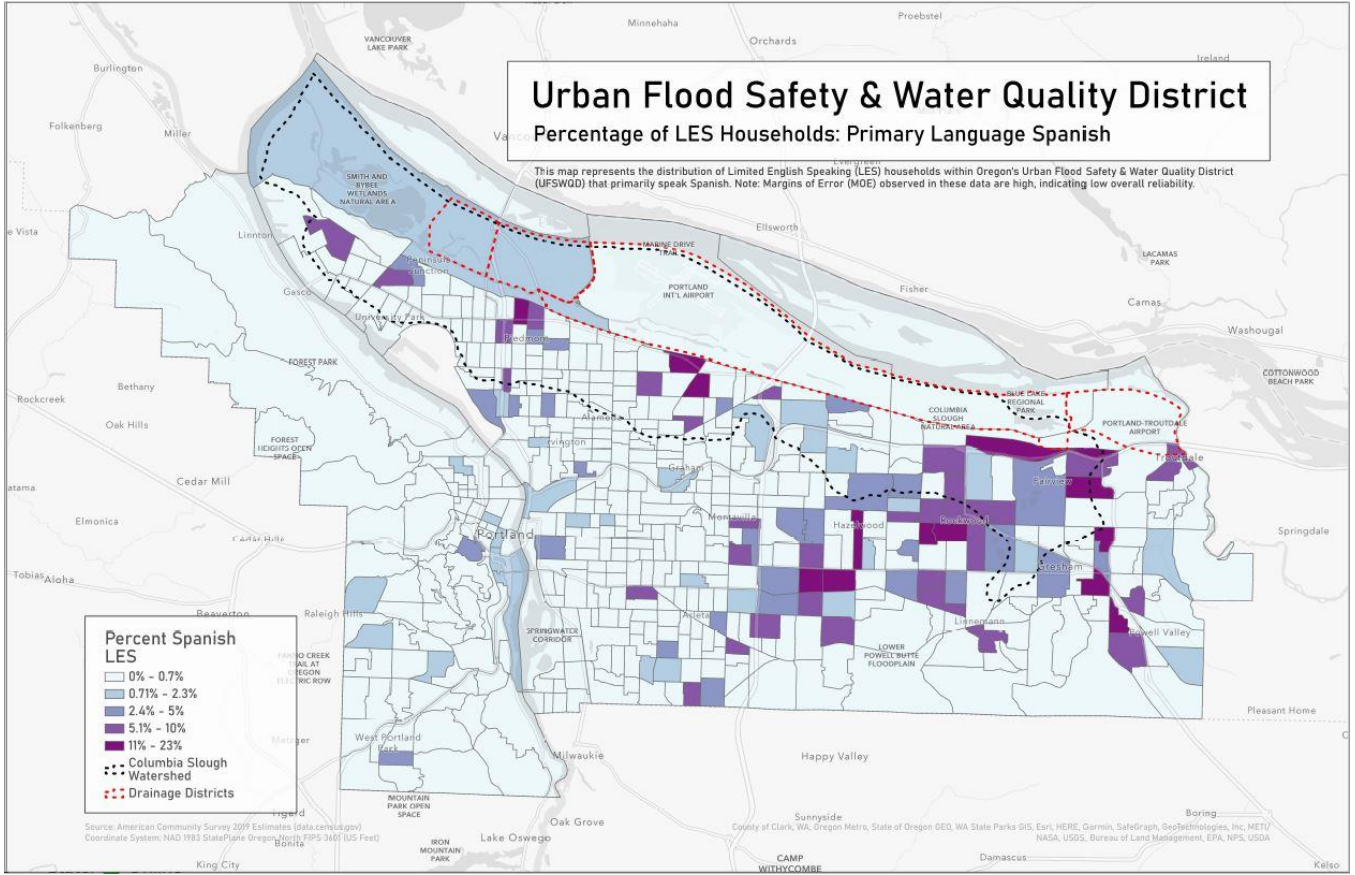
Map 4: Percentage of LEP (or Limited English Speaking – LES) Households within the Columbia Slough Watershed



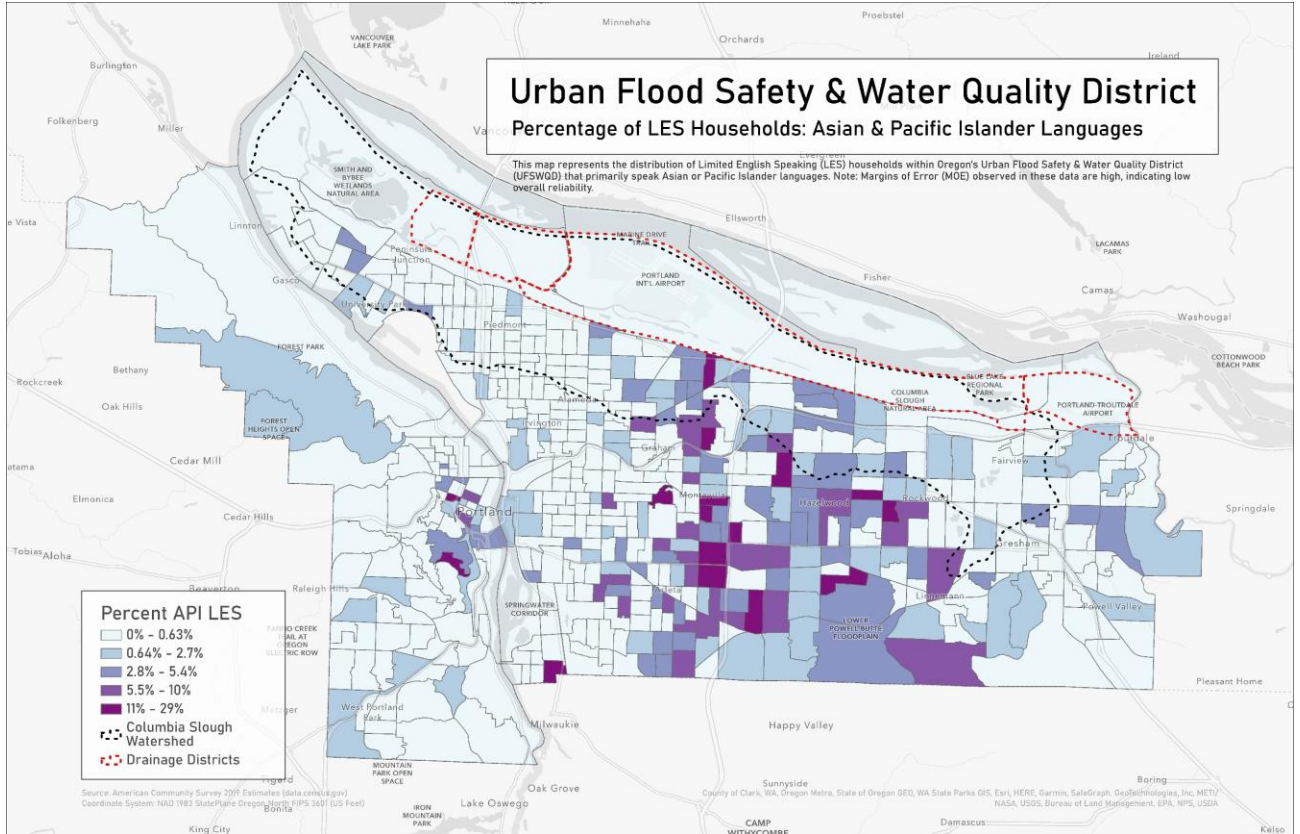
Map 5: Percentage of LEP (or Limited English Speaking – LES) Households within the UFSWQD



Map 6: Percentage of LEP (or Limited English Speaking – LES) Spanish-Speaking Households within the UFSWQD



Map 7: Percentage of LEP (or Limited English Speaking – LES) Households within the UFSWQD whose Primary Language is an Asian Pacific Islander Language



(2) Frequency and sources of contact:

Frequency of Contact

Currently, the known frequency of contact with LEP populations is limited. The main source of District contact with LEP populations are project-specific efforts, or outreach events hosted in partnership with community-based organizations. Examples include:

- Levee Ready Columbia multi-lingual outreach in partnership with Oregon Kitchen Table and Community Engagement Liaisons in 2018
- The Life Along the Columbia multilingual audio project developed in 2019 and promoted in 2021
- Multilingual Bike the Levees events hosted in 2019 and 2022 in partnership with community-based organizations
- General outreach/ tabling at multilingual public events

These opportunities are implemented inconsistently and as capacity allows. Rarely do the Districts receive requests for interpretation and translation outside of these events and projects, and known contact is currently limited to Spanish speaking LEP populations, with the exception of the Levee Ready Columbia Oregon Kitchen Table outreach.

The Urban Flood Safety & Water Quality District (UFSWQD) is likely to have a greater frequency of contact with LEP populations as the agency is established over the next couple of years. For instance, the UFSWQD may initiate targeted communications and community engagement activities to LEP communities to ensure participation and equal access to information regarding the creation of the new agency.

Sources of Contact:

Though the known frequency of contact is limited, the following describes the current and anticipated sources of contact with LEP individuals:

In-person

District staff currently encounter LEP individuals during outreach events, workshops and projects implemented in partnership with community-based organizations. For instance, the Legacy Districts host an annual bilingual Bike the Levees event in partnership with Verde, the Columbia Slough Watershed Council, and the Community Cycling Center that serves the Spanish-speaking population. Additionally, the Legacy Districts have previously tabled at bilingual events in the Cully Neighborhood, such as Explorando, and will likely table at similar events in the future. Finally, the Life Along the Columbia Project was implemented in partnership with the Spanish-speaking community to produce stories in Spanish related to the managed floodplain.

Additionally, staff may encounter additional LEP individuals when tabling at non-LEP specific events such as Sunday Parkways, when conducting door-to-door outreach within the districts, or

during routine maintenance and field work when communication with a resident, employer, landowner, or houseless individual is necessary.

Mailings

Currently the Legacy Drainage Districts distribute mailings to residents within the managed floodplain to inform constituents about public involvement opportunities, district updates, and projects or programs that may affect people who work, live, or recreate within the Districts.

Because LEP individuals live within the managed floodplain and the wider region that depends on the flood protection infrastructure for a variety of economic purposes and public services, LEP households and employers are likely to receive these mailings. In FY 2023-24, for instance, the UFSWQD will distribute a series of mailings to the entirety of the UFSWQD boundary to inform constituents about services provided by the UFSWQD and the capital investments that are needed in the future that would affect residents and businesses with urban Multnomah County.

Digital Communications

The Districts frequently distribute digital communications related to district updates, upcoming events, and public participation opportunities to a general audience. These types of communications include promoted social media posts, e-newsletter distributions, and information on the District websites. Depending on the content, some of these communications may be relevant to an LEP individual. For instance, the communications plan for the Life Along the Columbia Project included targeted digital communications to the Spanish-speaking LEP community.

Digital communications are also important during a high water or flood event when District staff need to communicate information to a large audience within a short timeframe. Given the presence of LEP individuals living with the managed floodplain, these communications may be especially important to translate.

There may be additional targeted digital communications to LEP constituents over the next couple of years as the UFSWQD is developed and established.

Media Communications

The Districts frequently coordinate with the media to distribute information to a large audience related to District activities. Media communications are also especially important during a high-water event or flood emergency.

Printed Materials

The Districts produce and distribute printed materials including, but not limited to, fact sheets, annual reports, door hangers, and postcards. These materials are distributed during district-hosted events, at in-person outreach opportunities, at the district office, and over the mail.

Additionally, the Districts also produce and install signage within the service area. It is likely that LEP individuals encounter the Districts' printed material when it is produced.

Over the phone

The Districts communicate with community constituents over the phone when a question or concern arises. Currently, most of this communication happens with English-proficient individuals. However, as the Districts start producing digital and paper communications in other languages, LEP communications over the phone may become more frequent.

Community Engagement Activities:

As the UFSWQD is established, the agency will conduct community engagement activities that span multiple sources of contact including, but not limited to: surveys, focus groups, and workshops. There may be community engagement activities that are targeted to LEP individuals.

(3) Nature and Importance of Services

Description of Services

The Districts are local governments that provide a vital public safety service to an area that is home to nearly 8,000 people, 2,500 businesses, and 59,000 jobs that also includes important public assets, major transportation routes, and more. LEP individuals and the wider community rely on this flood protection system for their residence, livelihood, recreational activities, transportation networks, and a variety of economic activity, and public services. As such, the districts have a responsibility to provide equal access to information about their services, programs, and the state of the flood protection infrastructure.

Communications about the services that the Districts provide to reduce flood risk may be most relevant and important to LEP individuals that live within the managed floodplain. These communications may be especially important during a high-water event, when the Districts provide the public with information regarding emergency response activities, the status and severity of the event, and the performance of the flood protection infrastructure. The Districts would also support the Cities of Portland, Gresham, Fairview, and Troutdale and Multnomah County in communication efforts should any managed floodplain evacuation be necessary.

Additionally, the Districts have a responsibility to provide equal access to information regarding project and construction impacts to LEP individuals who live or work within the managed floodplain.

Over the next couple of years, the UFSWQD will be establishing a revenue structure that may have direct impact on LEP households in the managed floodplain, the Columbia Slough Watershed, and the greater UFSWQD. Depending on the nature of the revenue structure and revenue collection methods, the UFSWQD may have a responsibility to communicate to LEP individuals about these potential impacts. As mentioned previously, the UFSWQD will have an opportunity to inform and engage the LEP communities in the creation and establishment of the UFSWQD during FY23 and FY24.

Full consideration of the language access needs for the UFSWQD will be assessed once sources of revenue and collection mechanisms are established, and the agency is in a position to begin to develop and implement programs associated with the new environmental, cultural history, equity, and climate change preparedness mandates (FY25). The development of these program areas may provide an additional multilingual communications and engagement opportunities.

Language Access Need

This section outlines the types of language services needed based on the current and anticipated sources of contact with LEP individuals and identifies the priorities for language access services based on the nature and importance of the services and information that the Districts provide.

In-person interpretation

Because the Districts' staff may encounter LEP individuals in face-to-face settings, in-person interpretation services must be available. These can include but are not limited to: on-call in-person interpretation services, the hiring of qualified bilingual staff, and partnerships with community members or community-based organizations to provide culturally and linguistically relevant communication to their constituents on behalf of the Districts, with just compensation.

Partnerships with community-based organizations can be particularly helpful during targeted communications and community engagement. These organizations are trusted within cultural and language-specific groups and have local knowledge regarding community gathering places and cultural preferences and norms. They can also help present information in a culturally relevant manner.

Additionally, when staff encounter an LEP individual during an outreach event, language identification cards can be a useful tool for communicating the availability of language access services and identifying the spoken language.

Language interpretation should be made available in at least Spanish, Vietnamese, Chinese, Russian, Somali, and Swahili.

Language interpretation should also be made available over video conference calls, as the Districts plan to host virtual webinars and are required by state law to ensure virtual access to public meetings.

Written Communications

Because LEP individuals will access various information and services in writing, the Districts must translate information that is critical for understanding and staying updated about basic District Services, and relevant opportunities for engagement. When determining what information should be translated into which languages, the Districts should consider the predominant languages spoken within service area geographies and which documents are vital for accessing the most important services provided by the Districts.

Given the nature of the work, any information that describes the basic nature of the Districts' services, the public accommodations program, or District activities during a high water event or flood emergency is considered a vital document, and should be translated into the most predominant non-English language (Spanish).

The following is a list of information that should be translated into Spanish:

- Key District Website Pages
- Public Accommodation Complaint Forms and related communication (include language access taglines in Vietnamese, Chinese, Russian, Somali and Swahili)
- District fact sheets

- All communications and notifications related to the Districts' actions, responsibilities, and roles during emergency activation
- Any targeted outreach to LEP communities
- The voice message for the main MCDD phone line
- Public accommodation information taglines in meeting announcements

Some written information may be important for LEP individuals to access but may not be critical for obtaining basic services. These materials may include mailings, surveys, event notifications, project updates, publicly accessible plans and newsletters. For these types of communications, a translated tagline is appropriate, such as "If you speak Spanish, language assistance services are available free of charge. Call XXX-XXX-XXXX for assistance." Taglines should be made available in Spanish, Vietnamese, Chinese, Russian, Somali, and Swahili.

Telephonic Interpretation

If LEP individuals are referred to a phone number for language access services, telephonic interpretation services should be available to facilitate communication between District staff and the individuals who are trying to obtain language access services. This could involve a third-party phone interpreter that can be called-in to provide real-time interpretation services. This service should be readily available whenever District staff are performing work and could be utilized for unanticipated in-person interactions as necessary. Telephonic Interpretation should, at a minimum, be made available in Spanish, Vietnamese, Chinese, Russian, Somali, and Swahili.

(4) Resources for Providing Language Access

Current Available Resources (as of FY23)

During FY22, MCDD, PEN1, PEN2 and SDIC established a 1-year on-call contract for language access services, including translation, on-call interpretation for in-person or video settings, and telephonic interpretation. Similarly, during FY22, the UFSWQD established 5-year on-call contracts for communications and community engagement services, which includes language access services. Additionally, the Districts accounted for translation and interpretation needs in the FY23 Community Relations budget.

Resources Needed

Moving forward, MCDD, PEN1, PEN2, and SDIC will need to procure language access services for the remaining year(s) of their operation (projected to be FY24 and FY25), as the current on-call contract for language access services will expire in May 2023.

Policies, Staff Training and Providing Notice

Establishing Procedures

The Districts shall establish procedures and systems related to the implementation and monitoring of these language access services. These will include, but are not limited to:

- Establish expectations and procedures for interactions between staff and LEP persons
- Develop systems and procedures for staff to access translation and interpretation services when needed, including:
 - o Telephonic Interpretation
 - o In-person Interpretation
 - o Translation
- Develop tracking systems for monitoring the effectiveness of Language Access Plan in fulfilling language requirements. Consider tracking the following metrics:
 - o Frequency of Use and Response: What languages do we have requests from? How efficiently are we able to respond to those requests?
 - o Translation Implementation: Are vital documents being translated? How are LEP populations being made aware of free Language Access Services?
- Consider additional HR policies related to the recruitment and retention of bilingual staff, including a bilingual hiring preference policy and bilingual pay policy for positions that have substantial external-facing roles.

Staff Training

All staff that have external-facing roles shall be trained in how to access language assistance services when needed. This training shall include:

- Information on the importance of the Language Access Plan, and the legal requirements for providing Language Access Services
- Information about the LEP policies and procedures, including how to access translation services, and work effectively with in-person and telephonic interpreters
- How to track the use of Language Access Services

Staff responsible for any of the following activities should be trained in the use of Language Access Services:

- Communications and Outreach
- Answering the MCDD Office Phone
- Board Coordination

Providing Notice to LEP Populations

Once the LEP systems are in place and staff is trained, it will be important to provide continual notice to LEP populations about the availability of free language access services. It is best practice to indicate that these services are at no cost.

LEP Populations will be made aware of these services through successful implementation of this plan – by translating vital documents, providing notice of language access services on all printed and digital communication materials, and through targeted communications and community engagement when appropriate.

Language Access Implication Timeline

This section establishes short-term, mid-term and long-term goals for implementation of the Language Access Plan.

LAP Update Schedule	Target Completion = X			
Task	FY 22	FY 23	FY 24	FY 25
Language Assistance				
Establish an on-call contract with a translation and interpretation consultant	X	X		
Allocate internal resources for language access services (consider every year in annual budgeting process)	X	X	X	X
Begin to translate vital documents		X		
Provide Notice to LEP individuals about language access services		X	X	X
Establishing Procedures and Staff Training				
Establish procedures and systems for staff to access and track translation and interpretation services		X	X	
Train select staff on established systems, policies, and procedures		X	X	
Consider implementing bilingual hiring preference and wage policies for external facing roles			X	X
Monitoring and Updating the LAP				
Produce Demographic Maps for Draft Language Access Plan	X			
Update Language Access Plan based on Demographic Maps		X		
Develop systems for tracking Language Access Plan outcomes		X	X	

Update Language Access Plan once UFSWQD is operational, and on a subsequent biannual basis				X
Develop partnerships with CBOs to provide language access services for targeted communications and engagement activities (ongoing)	X	X	X	X