



LANGUAGE ASSISTANCE PLAN FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY

ADOPTED - March 10, 2021

1. Introduction

This Language Assistance Plan (Plan) has been prepared to address the responsibilities of the Tri-Valley – San Joaquin Valley Regional Rail Authority (Authority), an intended recipient of federal financial assistance, as they relate to the language access needs of individuals with limited English proficiency (LEP). The Plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin. Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency," indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. The Executive Order applies to all state and local agencies which receive federal funds, including the Authority, which in the future may receive federal assistance through the U.S. Department of Transportation (U.S. DOT).

2. Plan Summary

The Authority has developed this Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access the Authority's services. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This Plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

3. LEP Four Factor Analysis

In order to prepare this Plan, the Authority undertook the four-factor LEP analysis described in the U.S. DOT's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (DOT LEP Guidance), published at 70 Federal Register 74087, on December 14, 2005. The four-factor LEP analysis considers the following factors:

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

A summary of the results from the LEP four-factor analysis follows.

3.1 Factor One: The number or proportion of LEP persons in the service area who may be served or are likely to encounter an Authority program, activity or service

The Authority has no ridership demographics or similar data sources at this time. Accordingly, this Plan relies entirely upon data from the U.S. Census Bureau's American Community Survey for the three Tri-Valley cities (Dublin, Pleasanton, and Livermore) and San Joaquin County to assess the level of English proficiency and use of languages other than English within Valley Link's generally-anticipated service area.

Table 1 shows the languages (other than English) spoken at home for all persons, aged five years old and older, within the service area. Of the total service area population (820,701), 334,322 people, or 40.74%, speak a language other than English at home. The Census Bureau classifies how well people speak English using the following descriptions: "very well," "well," "not well," and "not at all." An LEP person is defined for purposes of this Plan as someone who speaks English less than "very well." Within the service area, 132,422 people, or 16.14% of the population, speak English less than "very well."

Table 1. Distribution of English proficiency within the Authority's service area population, aged 5 years and older.

Language Spoken at Home	TOTAL Valley Link Service Area		San Joaquin County	Livermore	Dublin	Pleasanton
	Percent of Population	Population	Population	Population	Population	Population
Total Population		820,701	690,215	43,399	51,591	35,496
Spanish:	23.19%	190,300	180,312	5,439	3,157	1,392
Speak English less than "very well"	9.15%	75,061	71,124	2,402	1,145	390
French, Haitian, or Cajun:	0.15%	1,245	652	253	183	157
Speak English less than "very well"	0.03%	228	134	72	22	0
German or other West Germanic languages:	0.19%	1,588	1,239	53	164	132
Speak English less than "very well"	0.02%	182	151	0	19	12
Russian, Polish, or other Slavic languages:	0.26%	2,103	986	74	618	425
Speak English less than "very well"	0.09%	710	397	39	245	29
Other Indo-European languages:	5.43%	44,571	32,169	2,132	6,106	4,164
Speak English less than "very well"	1.89%	15,543	13,028	533	1,156	826
Korean:	0.47%	3,866	1,144	194	1,022	1,506
Speak English less than "very well"	0.24%	1,979	603	46	562	768
Chinese (incl. Mandarin, Cantonese):	2.26%	18,561	7,808	2,116	5,204	3,433
Speak English less than "very well"	1.28%	10,467	4,905	1,165	2,599	1,798
Vietnamese:	0.97%	7,965	6,687	295	864	119
Speak English less than "very well"	0.55%	4,476	3,924	155	354	43
Tagalog (incl. Filipino):	2.96%	24,328	21,680	950	1,249	449
Speak English less than "very well"	1.24%	10,190	9,393	411	241	145
Other Asian and Pacific Island languages:	4.11%	33,710	24,750	1,707	4,230	3,023
Speak English less than "very well"	1.46%	11,958	9,866	415	955	722
Arabic:	0.47%	3,823	3,010	109	628	76
Speak English less than "very well"	0.14%	1,134	916	0	184	34
Other and unspecified languages:	0.28%	2,262	1,614	216	393	39
Speak English less than "very well"	0.06%	494	323	43	128	0

Source: U.S. Census Bureau, American Community Survey 2015-2019, 5-Year Estimates

The six most prevalent languages (other than English) spoken at home within the Authority's service area population are listed in Table 2.

Table 2. Top Six Languages (other than English) spoken at home within the Authority's service area population, aged 5 years and older.

	Population in Valley Link Service Area	Percent of Population in Valley Link Service Area
Spanish	190,300	23.19%
Tagalog (incl. Filipino)	24,328	2.96%
Chinese (incl. Mandarin, Cantonese)	18,561	2.26%
Vietnamese	7,965	0.97%
Korean	3,866	0.47%
Arabic	3,823	0.47%

Source: U.S. Census Bureau, American Community Survey 2015-2019, 5-Year Estimates

The number of people speaking a language other than English at home (334,322, or 40.74% of the population) is larger than the group reporting that they speak English less than very well (132,422 people, or 16.14% of the population). Table 3 identifies the languages that are considered "Safe Harbor" languages in the service area because there are at least 1,000 people (or 5% of the population, whichever is less), who speak these languages at home and who also speak English less than "very well."

Table 3. "Safe Harbor" Languages for the Authority: Languages (other than English) spoken at home within the Authority's service area population, aged 5 years and older, by at least 1,000 people (or 5% of the population, whichever is less) who speak English less than "very well"

	Population in Valley Link Service Area	Percent of Population in Valley Link Service Area
Spanish	75,061	9.15%
Chinese (incl. Mandarin, Cantonese)	10,467	1.28%
Tagalog (incl. Filipino)	10,190	1.24%
Vietnamese	4,476	0.55%
Korean	1,979	0.24%
Arabic	1,134	0.14%

Source: U.S. Census Bureau, American Community Survey 2015-2019, 5-Year Estimates

When determining the precise Valley Link service locations and alignment, the Authority will further analyze this information to review the language needs of potentially-impacted communities to maximize opportunities for input and information-sharing in appropriate language in addition to English. To the extent that it is helpful and feasible, Census block-level information will be utilized and mapped to inform staff and consultant work. In addition, when infrastructure improvements are considered and underway, the Authority will review language needs of neighboring areas to ensure public outreach and information includes messaging for LEP individuals. For example, if a new facility is being considered or built in an area with a recognizable density of LEP individuals, the Authority will communicate about the facility and

related construction impacts in the language(s) spoken by such group(s). Mapping will be used to assist in identifying these needs, as will engagement with local governments and community-based organizations that work with the LEP population.

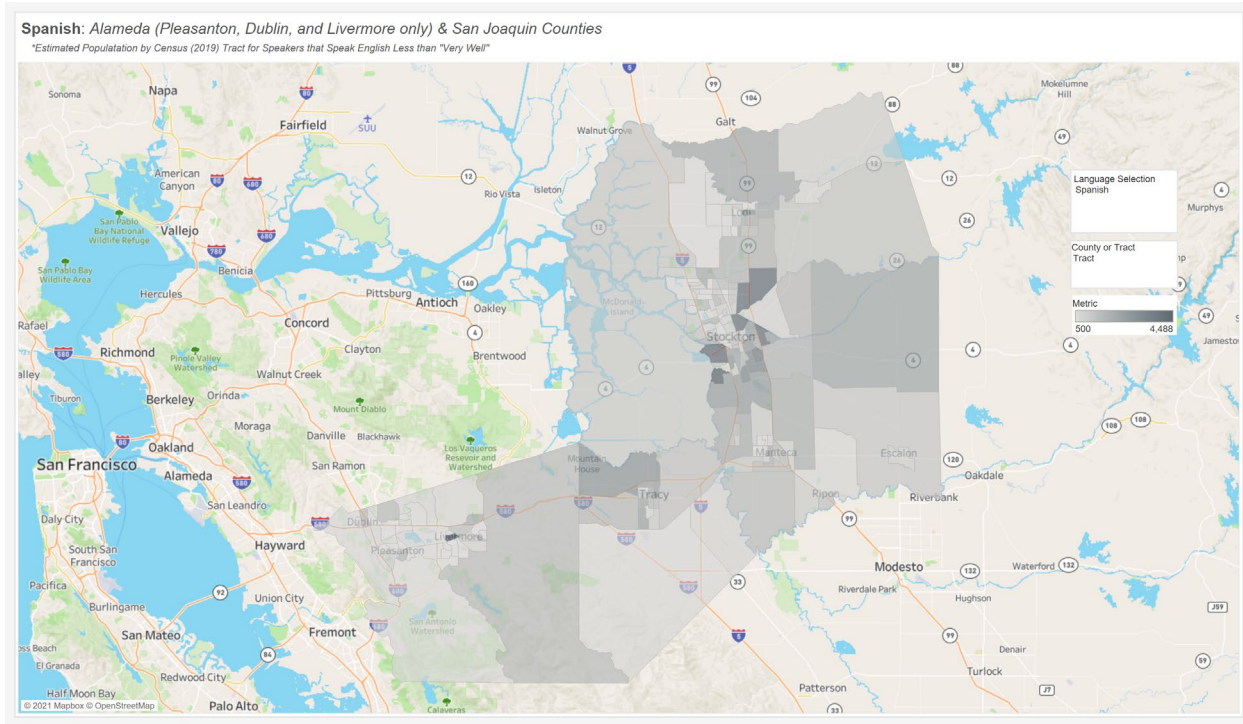


Figure 1 Estimated Population by Census Tract for Spanish Speakers that Speak English less than "Very Well"

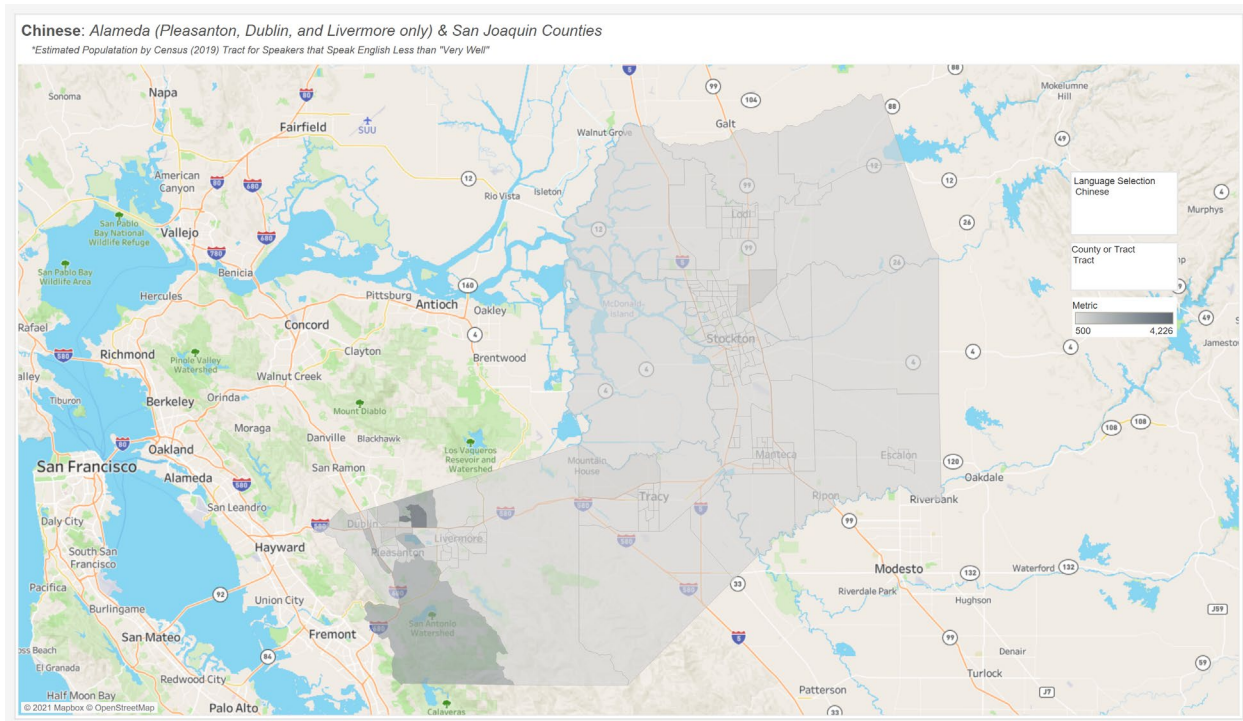


Figure 2 Estimated Population by Census Tract for Chinese Speakers that Speak English less than "Very Well"

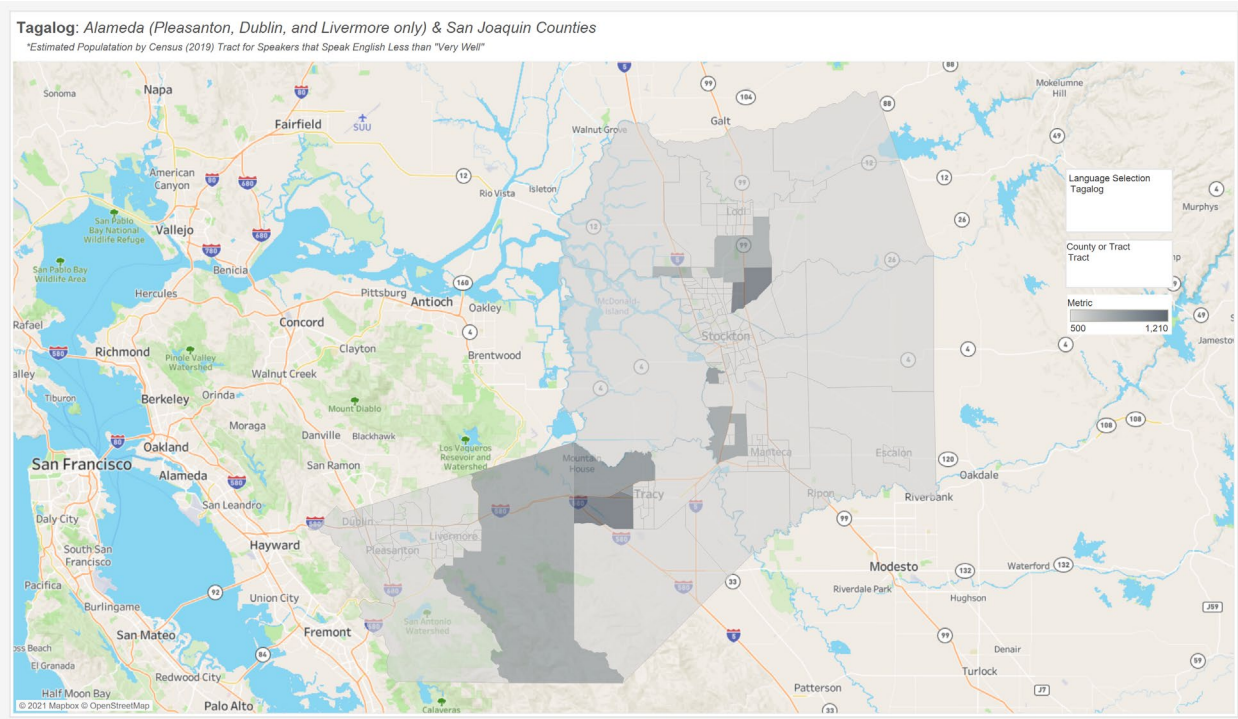


Figure 3 Estimated Population by Census Tract for Tagalog Speakers that Speak English less than "Very Well"

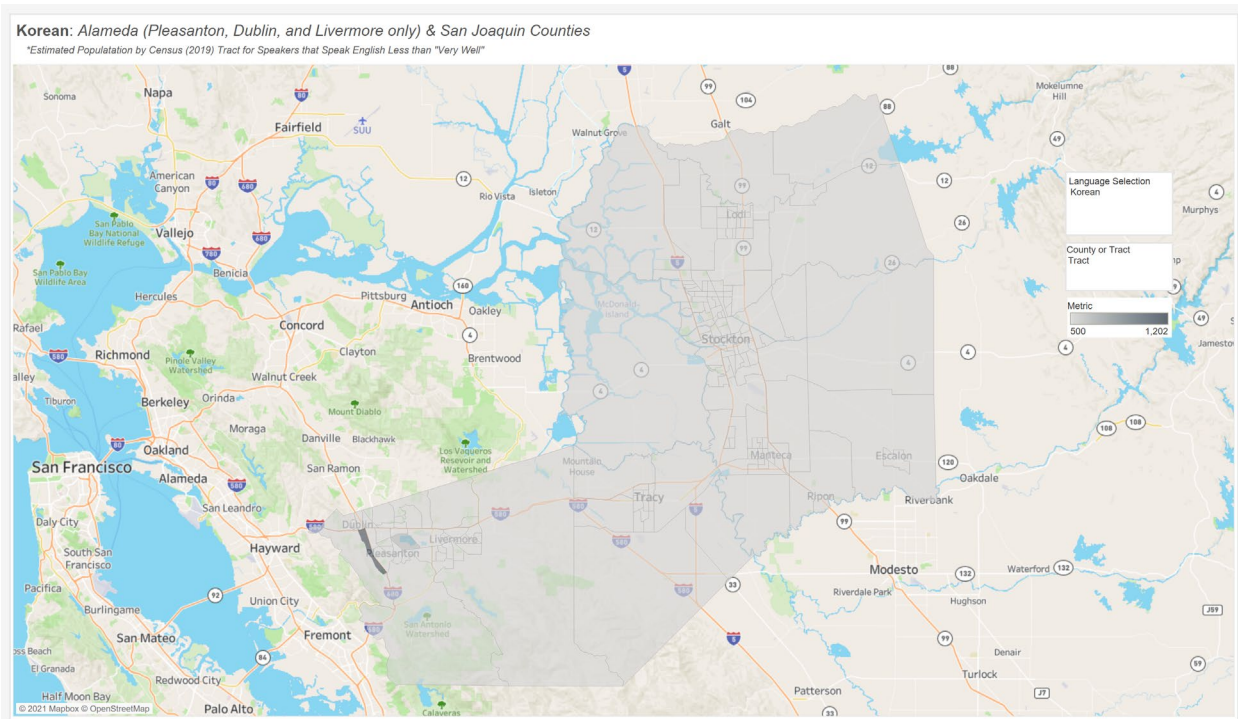


Figure 4 Estimated Population by Census Tract for Korean Speakers that Speak English less than "Very Well"

Additional maps will also be developed as part of the first update to this Plan once the Valley Link service area is more certain.

3.2 Factor Two: The frequency with which LEP persons come in contact with Authority programs, activities or services

The Authority is required to assess the frequency with which LEP persons have, or could have, contact with Authority services, including its staff and consultants. At this point in the development of the Authority's Valley Link transportation service, the public's only interface with Authority programs, activities and services is planning exercises and Board meetings as the Authority has not yet selected a final service model or launched any form of public transit services. Accordingly, the Authority has little relevant data for this aspect of the analysis but this aspect of the analysis will be updated as opportunities for the Authority to regularly interface with the public increase. In the meantime, the Authority will collect data on interactions with individuals using translation services or indicating a need for the same during planning studies, outreach activities and the like.

Public participation and community outreach efforts to-date, as outlined in the Public Participation Plan, have been guided by the Authority's Board adopted Sustainability guiding equitable access (December 2018):

- Encourage engagement in planning and decision-making for the project to ensure a meaningful level of participation from disadvantaged communities and low-income communities and households.
- Strive to maximize benefits to disadvantaged communities and low-income communities and households in project planning and design.

Outreach efforts were tailored to match the needs of each of the local jurisdictions and developed in consultation with Station Ad Hoc Committee members as well as designated points of contact from local jurisdictions who provided insight into when and where station workshops could be most effective. They also identified opportunities for community briefings and non-traditional grassroots approaches to outreach such as pop-up meetings throughout the communities and booths at community events and fairs. These efforts were aimed at meeting the diverse individualized needs of the communities along the 42-mile system and included a bi-lingual surveys and bi-lingual fact sheets.

The multi-targeted outreach approach of “meeting people where they are,” when layered onto traditional channels of communication such as the project website, social media postings and press releases, resulted in over 2,000 points of contact and in the distribution of nearly 3,500 Project Fact Sheets throughout the development of the Project Feasibility Report (October 2019). This approach expanded outreach to segments of the community who would not typically participate in more traditional formats and allowed project staff to receive input from a broader cross-section of the community

3.3 Factor Three: The nature and importance of programs, activities or services provided by the Authority to the LEP population

At this time, the Authority provides neither public transportation services nor customer service information on the users of transportation services. However, a proposed new 42-mile, 7-station passenger rail project is now undergoing environmental review, project development and design. The proposed project will connect the existing Dublin/Pleasanton Bay Area Rapid Transit (BART) Station in Alameda County to the planned Altamont Corridor Express (ACE) North Lathrop Station in San Joaquin County utilizing existing transportation rights-of-way where feasible. Regular service is planned for throughout the day in both directions with timed connections with both BART and ACE services. Initial Operating Segments are also under consideration – from the Dublin/Pleasanton BART Station to either the Greenville or Mountain House Station.

The Valley Link Project Feasibility Report (October 2019) identified many communities in the Valley Link project as “Disadvantaged Communities,” by definition of the California Public Utilities Commission – suffering from a combination of economic, health and environmental burdens. These communities suffer from decades of disinvestment, geographic inequity and poverty, resulting in pockets of concentrated low-income communities lacking adequate access to jobs, healthcare and educational opportunities. The proposed Downtown Tracy, River Islands and North Lathrop stations are all within geographic areas identified as disadvantaged. Areas designated as low-income are also near these stations, as well as the Mountain House station.

During the planning process, the Authority seeks input from future Valley Link passengers regarding the service type, station locations and amenities. Input from the LEP population is important to this process, as it helps ensure the community's transportation needs and desires are considered. Engagement in the planning process also may support future potential riders in developing personal connections with and knowledge about the Authority and its future services.

In time, the Authority intends to build the infrastructure needed to operate Valley Link services. These services are expected to serve LEP individuals through fixed-route transit services, at transit stations and other facilities and through fare sales and customer service. Language services will be important for all such interactions. Ongoing community outreach events will act as additional opportunities where LEP individuals and Authority staff may communicate through language services.

3.4 Factor Four: The resources available to the Authority and overall cost to provide LEP assistance

The Authority has assessed the available resources that could be used to provide LEP assistance, including determining the costs of professional interpreters and translation and taking an inventory of available organizations with whom resources could be shared. The Authority also used this information to determine which of its documents and materials would be the most valuable to be available in multiple languages. Translation of documents and other printed material is achieved through a contractor on an as-needed basis, costing the agency approximately of \$2,000 per year thus far. Depending on which languages become more prominent in the service area and the speed with which development of the Valley Link service progresses, more money may be spent on translation services in the next few years.

The Authority and the agency that helps administer the new organization (Livermore Amador Valley Transit Authority, or LAVTA) currently employ several Spanish-speaking staff members, including the entire staff of three who work at the Downtown Livermore Transit Center. LAVTA Transit Center staff handle about twenty Spanish-speaking calls a day. Overall, LAVTA has indicated that approximately one out of twenty people encountered by Customer Service are not proficient in English. Customer Service indicates individuals who are not proficient in English, speak other languages including Chinese, Tagalog, Spanish, Arab, and Farsi. Additionally, both LAVTA and the Authority have access to a Language Line telephone translation service. For in-person meetings, Authority staff can be accompanied by a translator to ensure clear communication with LEP individuals.

4. Language Assistance Plan

This portion of the Plan addresses how the Authority will ensure meaningful access to its services, resources, benefits, and information through language assistance for LEP persons.

The Four Factor Analysis above shows the geographic breakdown of LEP persons based on data from the 2015-2019 American Community Survey. Spanish speakers account for over half of the population who identifies as speaking English less than "very well" in the Authority's service area. Chinese and Tagalog speakers each account for approximately 8% of the LEP population in the service area. Vietnamese, Korean and Arabic are the other three of the Authority's Safe Harbor languages.

As a result of the Four Factor Analysis, the Authority will translate its existing vital documents into all six Safe Harbor languages by the end of 2021, and continue this practice as new vital documents are identified.

Based on the four-factor analysis, the Authority has also identified desired language assistance activities in the following five areas:

1. Identifying LEP individuals who need language assistance
2. Language assistance measures
3. Training Staff
4. Providing Notice to LEP persons

5. Monitoring and updating the LEP Plan

4.1 Identifying LEP individuals who need language assistance

Moving forward, the Authority will aim to identify LEP persons who needs language assistance utilizing:

- Census data, provided in response to Factor One, to determine the number and proportion of LEP persons eligible for service;
- Records on past use of language assistance, either at meetings, online or over the phone, with a focus on determining which events/venues are most likely to benefits from language assistance in the future;
- Data on use of the Authority's language line;
- Greeters at Authority-sponsored events. By informally engaging participants in conversation it is possible to informally gauge each attendee's ability to speak and understand English;
- Data on how many times and into what languages the Authority website pages have been translated, thereby allowing the Authority to consider pre-translation of those pages in the Authority's website updates; and
- Work with community based organizations (CBOs) to identify LEP persons in the Authority's project area as well as their frequency and points of contact with the Authority.

4.2 Language Assistance Measures

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which the Authority staff may respond to LEP persons, whether in person, by telephone or in writing.

Moving forward, the Authority will assist LEP persons who needs language assistance by

- Working with local senior centers to provide vital information to LEP groups on the Authority's programs and services;
- Networking with local human service organizations that provide services to LEP individuals and seeking opportunities to provide them and their clients with information on Authority programs and services;
- Providing a statement in notices and publications that interpreter services are available for public hearings and Board of Director meetings;
- Providing a statement in flyers that interpreter services are available at public hearings and workshops;
- Engaging on-call interpreters for in-person and telephonic communications using professional interpretation services and a language line;
- Engaging Spanish-speaking and other bilingual staff to provide language assistance services;
- Encouraging recruitment of public-facing employees with the skill to speak multiple languages;
- Translating all vital documents into all Safe Harbor languages;

- Translating additional documents (including public hearing information) into Spanish; and
- Utilizing the Authority's Public Participation Plan to perform targeted outreach to LEP persons.

4.3 Staff Training

The Authority will train staff on its role and responsibilities in providing meaningful access to services for LEP persons, including by

- Identifying Authority staff that are likely to come in contact with LEP persons;
- Developing curriculum and a corresponding PowerPoint to educate Authority staff on providing meaningful access to services for LEP persons;
- Providing staff with a description of language assistance services offered by the Authority; and
- Providing staff with specific procedures to be followed when encountering an LEP person and information on accessing available language assistance resources.

4.4 Communications with LEP Persons

The Authority will communicate with LEP persons as follows:

- In oral communications:
 - Provide a statement affirming that the Authority will make reasonable accommodations to provide an interpreter at public hearings and meetings with advance notice;
 - Utilize the Public Participation Plan to perform outreach to LEP persons; and
 - Utilize a language line when a customer calls in and is unable to speak English or Spanish.
- In written communications:
 - Use the services of a professional translation provider to ensure that vital documents (defined as those documents without which a person would be unable to access services) are accurate;
 - Provide information about the Authority's non-discrimination policies and information on the local/federal complaint process in all Safe Harbor languages on the Authority's website and in other languages upon request;
 - Ensure the www.valleylinkrail.com website can be viewed in English and Spanish from an easily-accessed dropdown menu at the top of any page, and explore similar mechanisms for Chinese, Korean, Tagalog, Vietnamese, and Arabic;
 - Conduct surveys in English and Spanish; and
 - Utilize the Public Participation Plan to perform outreach to LEP persons.

4.5 Monitoring and Updating the LEP plan

This Plan is designed to be flexible, and should be viewed as a "living document." As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and also to monitor changes in demographics and types of services offered by the Authority.

The Authority will examine and update its LEP Plan periodically and, at a minimum, when:

- The Authority begins to make significant capital investments to develop and operate its Valley Link transit services; and
- Higher concentrations of LEP individuals are present in the service area.

To ensure updates are effective and meaningful, the Authority will:

- Record how many times the language line has been utilized and for which languages;
- Determine how the needs of LEP persons have been addressed;
- Determine whether and how the LEP population in the service area changes;
- Determine whether local language assistance programs have been effective and sufficient to meet the need;
- Determine whether the Authority's financial resources are sufficient to fund language assistance resources needed;
- Determine whether Authority staff and consultants have fully complied with the goals of this LEP Plan; and
- Determine whether complaints have been received concerning the Authority's failure to meet the needs of LEP individuals.

5. Dissemination of the Language Assistance Plan

This Plan will be disseminated to customers and the community as follows:

- A link to the Plan and the Title VI Program will be included on the Authority's website, www.valleylinkrail.com;
- The LEP Plan will be shared with human service organizations in the Authority's project area; and
- The Plan will be translated (if requested and if feasible) and shared (at no cost) with any person or agency who requests a copy via telephone, fax, mail, or in person.

6. Contact Information

Questions or comments regarding this Plan may be submitted to the Tri-Valley – San Joaquin Valley Regional Rail Authority Executive Director as follows:

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