

# **Limited English Proficiency Analysis for CWSRF FY23 Draft Intended Use Plan and Project Priority List Public Comment**

## **1. Limited English Proficiency (LEP) Analysis for the number and proportion of LEP persons eligible to be served or likely to be encountered in the community of concern.**

The U.S. Census Bureau collects data through the American Community Survey (ACS) to assess language characteristics within a geographic area. The data identifies a person's ability to speak English "very well" or less than "very well" and the language predominately spoken at home for those populations age 5 and older. The 2016-2020 5-Year Estimates from the American Community Survey, through U.S. Census Quick Facts, provides quantitative information regarding LEP populations in New Mexico. An analysis of these data identifies LEP populations within New Mexico and their language characteristics.

U.S. Census Quick Facts data for the state of New Mexico indicate that the total population within New Mexico is 2,115,877. Twenty-five percent of the total population age 5 and older speaks Spanish at home. Of these individuals, approximately 25.5% speak English less than "very well."

The Construction Programs Bureau (CPB) reviewed their records and found that, historically, there has been no LEP participation regarding the State of New Mexico Clean Water State Revolving Fund (CWSRF) Intended Use Plan or Project Priority Lists.

## **2. The frequency with which LEP individuals might encounter the program.**

There is a potential area where the CPB might interact with LEP individuals during the public comment period for the CWSRF Intended Use Plan. Comments can be submitted in writing or by phone call. All interactions are rare and CPB has never had an interaction with an LEP individual during the IUP public comment.

An identifier of "not frequent" is being assigned because, although the actual interaction with LEP individuals has been non-existent, there is potential given the demographics of the state and the extent of projects that the CWSRF Intended Use Plan covers.

## **3. The nature and importance of the activity or service provided by the subject material of the program.**

Many people in New Mexico depend on community wastewater systems to serve wastewater treatment and disposal needs. The CWSRF funding in New Mexico extends low interest loans or loan/subsidy packages to fund infrastructure to protect New Mexico's water.

Considering the importance of the CWSRF funding identifier of "very important" is being assigned.

## **4. The resources available to NMED**

From CPB's assessment, there are adequate resources available within the Department to address LEP requirements. NMED hired a certified translator to translate public notices and vital documents for the Department. If additional LEP services are needed, CPB will contact the NMED translator or contract

with a translator/interpreter. Other expanded outreach activities that may be utilized, as identified and necessary, include:

- posting translated materials and information on CPB's and the Department's website;
- contracting with a telephone interpreter service to facilitate phone interpretations with LEP individuals;
- sending email blasts to all known community contacts and their consultants;
- working with community leaders (tribal chapter houses, church leaders, community centers, libraries, etc.) to disseminate the information to the affected population.

#### **LEP Plan for the CWSRF FY23 draft Intended Use Plan and Project Priority List**

The Bureau has had limited to non-existent interaction with LEP individuals; an identifier of "not frequent" is assigned to the frequency of interaction with LEP individuals, but there is interaction potential, given the demographics of the state.

- Based on the assessment above, all public notices will be published in both English and Spanish (see Public Involvement Plan).
- If LEP individuals call CPB to request information about the Program or rule change, the person answering the call will find the Department's interpreter or coordinate with Margo Gomez for on-call telephone interpretation services. (see below)

If LEP individuals provide written comment during the public comment period for inclusion in the record, CPB will have their response translated and include both English and Spanish versions in the Response to Comments.

If the LEP individual speaks a language other than Spanish, the responding staff will coordinate interpretation services with the Department's interpreter. CPB employee, Margo Gomez 505-476-3274 may arrange for on-call telephone interpretation services.

**Approval:**

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Bureau Chief

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6-2-2022

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Date

**Approval:**

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Division Director

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Date