



# **The State of Alaska CDBG-Disaster Recovery Language Access Plan for the 2022 Typhoon Merbok**



*The aftermath of Typhoon Merbok in the village of Golovin, Alaska, Sept. 27, 2022 – United States Coastal Guard*



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## Version History

Version	Date	Summary Description
1.0	00/00/0000	Publication of Version 1.0 of The State of Alaska CDBG-DR Language Access Plan for the 2022 Typhoon Merbok



## The State of Alaska CDBG-DR Language Access Plan

### Introduction

As a recipient of U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant–Disaster Recovery (CDBG-DR) funding for the 2022 Typhoon Merbok, the State of Alaska Department of Commerce, Community and Economic Development (DCCED) is committed to ensuring that individuals with Limited English Proficiency (LEP) receive meaningful access to DCCED's CDBG-DR programs. The 2022 Typhoon Merbok CDBG-DR Action Plan allocates funding for Administration, Planning-Only activities, Public Services/Legal Services, Homeowner Disaster Recovery Housing Program and New Multi-Family Housing Construction within the 13 communities identified by FEMA and the State of Alaska as the most "environmentally threatened" communities, plus the two "hub" communities of Nome and Bethel. (These communities are marked with an asterisk in the following tables.) LEP individuals include persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.

This Language Access Plan (LAP)<sup>1</sup> was completed in accordance 72 FR 2731<sup>2</sup>. DCCED and its subrecipients are committed to complying with HUD's language access requirements and will update this LAP as new Census data becomes available.

By completing a LAP, DCCED describes the reasonable steps the agency is taking to provide meaningful access for LEP individuals to DCCED's CDBG-DR funded activities, programs, and services. Completing a LAP and incorporating language assistance measures into DCCED's operations achieves several goals:

1. LEP individuals receive the language access services they need to access CDBG-DR funded activities and programs in the state.
2. LEP individuals receive outreach in their native languages and are informed about CDBG-DR programs and language assistance.
3. DCCED staff receive ongoing training on the LAP and language assistance measures.
4. DCCED continuously monitors and evaluates LAP implementation.

### Four-Factor Analysis

As described in HUD's 72 FR 2731 notice, the LAP requirement is flexible and fact-dependent, and the starting point is a community-level assessment that balances the following four factors:

5. Number or proportion of LEP persons eligible to be served or likely to be encountered by DCCED.

<sup>1</sup> United States Department of Housing and Urban Development. (January 22, 2007). *72 FR 2731 - Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*. <https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against>

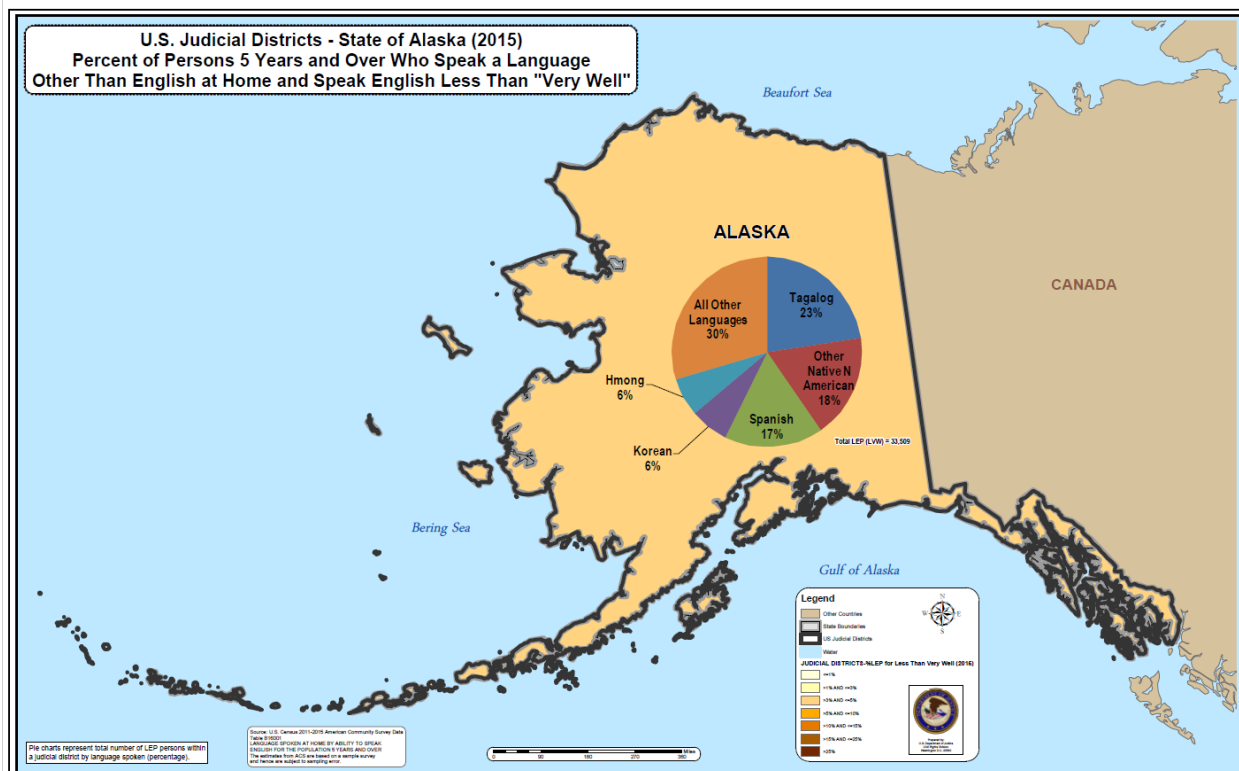


6. Frequency with which LEP individuals come in contact with the programs.
7. Nature and importance of the program, activity, or service provided by the programs to people's lives.
8. Resources available to DCCED and the costs of LEP compliance.

DCCED completed the below four-factor analysis to determine the appropriate level of language access by LEP individuals to critical services without imposing undue burdens on DCCED and its subrecipients (e.g. small local governments, regional housing authorities, or small nonprofit entities).

### Factor 1: Number and Proportion of LEP Persons Eligible To Be Served or Encountered by the Programs

#### FEMA DISASTER #4672



The State of Alaska CDBG-DR service area includes the following five areas that were impacted by the 2022 Typhoon Merbok: Bering Strait Regional Education Attendance Area, Lower Yukon Regional Education Attendance Area; Kashunamiut Regional Education Attendance Area, Lower Kuskokwin Regional Education Attendance Area, and the Pribilof Islands Regional Education Attendance Area.



DCCED analyzed data from the American Community Survey (ACS).<sup>3</sup> The tables below demonstrate the communities in the HUD-MID identified areas and State of Alaska-MID identified areas. Communities that have a LEP percentage above 5.00% have been highlighted in yellow.)

**Table 1: Bering Straits REAA/Communities and Primary Language Spoken**

<b>Community/Primary Language Spoken</b>	<b>Number who speak English less than very well</b>	<b>Percentage who speak English less than very well</b>
Brevig Mission/Inupiaq	9	2.45%
Diomedes/Inupiaq	0	0.00%
Elim/Yu'pik	1	0.21%
Elim/Inupiaq	0	0.00%
*Gambell/SLI Yu'pik	118	18.23%
*Golovin/Inupiaq	2	1.71%
*Koyuk/Inupiaq	6	2.51%
*Nome/Inupiaq	31	0.90%
*Nome/SLY Yu'pik	15	0.45%
*Nome/Yu'pik	5	0.15%
Savoonga/SLI Yu'pik	179	23.08%
Shaktoolik/Inupiaq	4	1.99%
Shishmaref/Inupiaq	8	1.58%
*St. Michaels/Yu'pik	48	13.91%
*Stebbins/Yu'pik	12	2.48%
Teller/Inupiaq	11	7.33%
Unalakleet/Inupiaq	101	14.89%
Unalakleet/Yu'pik	34	4.96%
Wales/Inupiaq	6	4.69%
White Mountain/Inupiaq	1	0.64%

<sup>3</sup> United States Census Bureau. *American Community Survey Data Tables*. Retrieved October 3, 2022, from <https://www.census.gov/programs-surveys/acs/data/data-tables.html>

**Table 2: Kashunamiut REAA/Chevak and Primary Language Spoken**

Community/Primary Language Spoken	Number who speak English less than very well	Percentage who speak English less than very well
*Chevak	68	7.09

**Table 3: Lower Yukon REAA/Communities and Primary Language Spoken**

Community/Primary Language Spoken	Number who speak English less than very well	Percentage who speak English less than very well
Alakanuk/Yup'ik	51	7.56%
Emmonak/Yup'ik	43	5.77%
Kotlik/Yup'ik	23	4.12%
*Hooper Bay/Cu'pik Lite	101	10.50%
Marshall/Yup'ik	15	4.97%
Mountain Village/Yup'ik	21	3.15%
*Numan Iqua/Yu'pik	4	3.39%
Pilot Station/Yup'ik	32	6.30%
Pikas Point/Yup'ik	5	4.10%
Saint Mary's/Yup'ik	31	5.68%
*Scammon Bay/Yu'pik	42	10.07%
Russian Mission/Yup'ik	12	3.50%


**Table 4: Lower Kuskokwim REAA/Communities and Primary Language Spoken**

Community/Primary Language Spoken	Number who speak English less than very well	Percentage who speak English less than very well
Akiachak/Yu'pik	75	14.85%
Akiak/Yu'pik	37	10.91%
Atmautluak/Yu'pik	38	16.67%
*Bethel/Yu'pik	75	1.30%
Cheforak/Yu'pik	140	29.98%
Eek/Yu'pik	219	56.88%
Goodnews Bay/Yu'pik	8	4.10%
Kasigluk/Yu'pik	135	25.96%
*Kipnuk/Yu'pik	129	20.91%
Kongiganak/Yu'pik	65	18.21%
Kwethluk/Yu'pik	83	11.35%
Kwillingok/Yu'pik	75	25.86%
Mekoryuk/Cup'ig	34	21.25%
Napakiak/Yu'pik	110	34.70%
Napaskiak/Yu'pik	70	18.82%
Newtok/Yu'pik	116	33.05%
*Nightmute/Yu'pik	58	25.66%
Nunapitchchuk/Yu'pik	166	34.95%
Oscarville/Yu'pik	3	13.64%
Platinum/Yu'pik	1	2.63%
Quinhagak/Yu'pik	110	18.49%
*Toksook Bay/Yu'pik	203	40.52%
Tuluksak/Yu'pik	104	26.60%
*Tuntutuliak/Yu'pik	286	67.93%
Tununak/Yu'pik	62	22.88%



**Table 5: Pribilof Islands REAA/Communities and Primary Language Spoken**

Community/Primary Language Spoken	Number who speak English less than very well	Percentage who speak English less than very well
St. George/Unangax Aleut	0	0.00%
St. Paul/Unangax Aleut	1	12.04%

**Factor 2: The Frequency With Which LEP Individuals Encounter the Programs**

HUD’s LEP requirements give grantees flexibility to tailor language assistance by CDBG-DR programs based on the frequency with which LEP individuals are likely to encounter each program. For example, programs that serve homeowners and renters may have more contact with LEP individuals and require more robust language access services than infrastructure programs.

Table 3 categorizes DCCED’s CDBG-DR programs by the extent to which they directly interact with members of the public. DCCED provides meaningful language access across all programs, but DCCED will prioritize LEP training for public-facing staff, or contractors/vendors, that work on programs that provide direct client assistance and regularly interact with the public.

**Table 4: Language Assistance by Program – CDBG-DR**

CDBG-DR Programs	Direct Client Assistance?	Frequency of Public Contact
Planning-Only Activities	No	Early on/Periodically
Homeowner Disaster Recovery Housing Program	Yes	Frequently
Public Services/Legal Services	Yes	Some

**Factor 3: Nature and Importance of the Activity or Service Provided by the Program**

The importance of engaging individuals with Limited English Proficiency (LEP) escalates with the significance of the activity, information, service, or program involved, amplifying the potential consequences and the likelihood of requiring language services. DCCED prioritizes language access services for programs, activities, and services with the greatest impact on LEP individuals. DCCED’s LEP outreach focuses on CDBG-DR funded activities that provide substantial direct benefits to participants, including homeowners and renters. Being involved in Planning-Only Activities will give the community with its LEP elders the greatest opportunity to—themselves—work for the success of the Typhoon Merbok work in their communities.



#### **Factor 4: Resources Available to DCCED and Costs**

This LAP ensures a balance between the needs of the LEP community and the available funding resources. DCCED is taking all reasonable steps to ensure meaningful access for LEP individuals to CDBG-DR programs and activities, including completing this four-factor analysis to better understand its area's LEP needs. DCCED will encourage all subrecipients and contractors/vendors to hire local bi-lingual employees.

#### **Language Assistance Measures**

DCCED offers language assistance measures to ensure meaningful access by LEP individuals to CDBG-DR programs, activities, and services. In all cases, DCCED seeks to provide high-quality, accurate, and professional language services to LEP individuals. The following sections describe DCCED's language assistance measures and categorizes them by high-, medium-, and low-level effort.

#### **LAP Coordinator (Medium Effort)**

DCCED designated a LAP Coordinator to oversee LAP implementation and compliance across its CDBG-DR programs. The LAP Coordinator ensures that DCCED staff understand their LAP responsibilities and provide ongoing training and monitoring to ensure the provision of meaningful language assistance services. DCCED's LAP Coordinator submits quarterly data on the level of language assistance requested, by native language. **If DCCED staff or the public have questions about language access services, they should contact the LAP Coordinator:**

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#### **Email: [roy.mitchell@alaska.gov](mailto:roy.mitchell@alaska.gov) Translation of Vital Documents (High Effort)**

DCCED will prioritize translating vital documents consistent with HUD's "Safe Harbor" in 72 FR 2732. A "vital document" is defined as a document that includes information regarding program eligibility requirements, applications, instructions, and appeals procedures.

Safe Harbor guidelines are not requirements, but grantees may follow them to demonstrate strong evidence of compliance with HUD's LEP requirements (see Table 3 below).

**Table 4: HUD’s LEP Safe Harbor Guidelines**

Safe Harbor Threshold	Language Assistance Provided
1,000+ of the eligible population in the service area, or among current beneficiaries	Translate vital documents
<i>&gt; 5% of the eligible population or beneficiaries, and 50+ in number</i>	<i>Translate vital documents</i>
<i>&gt; 5% of the eligible population or beneficiaries, and 50 or less in number</i>	<i>Translate written notice of right to receive free oral interpretation of documents</i>
5% or less of the eligible population or beneficiaries, and less than 1,000 in number	No written translation is required

Although none of the LEP populations analyzed in Factor 1 exceed the 5% safe harbor threshold, DCCED will translate vital documents<sup>4</sup> into Alaska Native languages as strong evidence of compliance because the LEP Alaska Native population is relatively large. Table 5: Vital Documents by CDBG-DR Programs.

**Table 5: CDBG-DR Programs**

CDBG-DR & CDBG-MIT Program	Vital Documents
CDBG-DR Grant Documents	Initial Public Action Plan and all amendments; Language Access Plan; Citizen Participation Plan; and surveys;
Homeowner Disaster Recovery Housing Program	Program guidelines and updates, flyers, frequently asked questions, general program notifications
Public Services/Legal Services	Program guidelines and updates, flyers, frequently asked questions, general program

### Teletypewriter (TTY) Service (Low Effort)

Alaska Relay (<https://alaskarelay.com>) is a free public service that enables people with hearing or speech loss to place and receive phone calls using a teletypewriter (TTY).

### Language Bank (Medium Effort)

DCCED has access to interpretation and translation services (On-demand Translation Services Update, Office of Procurement and Property Management, State of Alaska) through contracts.<sup>5</sup> There are three vendors on contract who maintain a “language bank” of staff who are fluent in a language other than English. DCCED recognizes that the language bank does not supplant the need

<sup>4</sup> A “vital document” is defined as a document that includes information regarding program eligibility requirements, applications and instructions, program eligibility determinations, and appeals procedures.

<sup>5</sup> Pricing for services are available on the linked website.



for certified translation services; however, it enhances DCCED's ability to provide interpretation services on demand by leveraging its multilingual staff.

### **"I Speak" Cards (Low Effort)**

DCCED distributes the U.S. Census Bureau's "I Speak" cards to all public-facing offices and trains staff to use them (see Appendix 4). These cards allow visitors to identify their native language so that DCCED can connect them to appropriate language access services. Do we have theses for the five, Inuit-Unangan languages that may be needed for this project? Inupiaq, SLI Yupik, Yup'ik/Cup'ik, Cup'ig, and Unangam Tunuu (Aleutian/Pribiloff Aleut)

### **LEP Outreach (Medium Effort)**

- DCCED, in conjunction with the five service REAAs, conducts community outreach so that LEP populations know how to access CDBG-DR activities, programs, and services. DCRA and Contractor have been holding monthly Steering Committee meetings. The Steering Committee includes Kawerak, Inc., which serves communities in the Bering Straits REAA. AVCP which serves communities in the Kashunamiut, Lower Yukon, and Lower Kuskokwim REAAs, and the Pribilof Aleutian Islands Association which serves St. George and St. Paul.

The outreach activities include the following:

- Working regularly with culturally specific organizations to provide information on any changes in programs or services.
- Encouraging culturally specific organizations' participation as sub-recipients or contractors for outreach and intake.
- Working with Steering Committee and attending existing engagements which include and not limited to the Division of Homeland Security and Emergency Management Resiliency Workshops, Alaska Municipal League Conferences, community surveys, and regional meetings in Bethel & Nome in 2026.
- Participating in culturally specific organizations' public events by providing staff and Alaska Native-language materials.

See DCCED's [Citizen Participation Plan](#) for more information on language access procedures related to public hearings and citizen participation periods.



## Complaints and Appeals

The Alaska State Ombudsman investigates citizen complaints about administrative acts of state agencies and determines remedies. Any written complaints concerning DCCED's compliance with this LAP will be referred to the DCCED LAP Coordinator, and a written response will be provided within 15 working days upon receipt of the complaint. A copy of the written complaint and response will be maintained by DCCED.

Complaints concerning the general provision of language assistance may be submitted via email to [dcra.admin@alaska.gov](mailto:dcra.admin@alaska.gov) **or by mail** to the following address:

DCCED LAP Coordinator  
550 W 7th AVE, STE 1535  
Anchorage, AK 99501-3587

Alternatively, complaints can be filed directly with HUD's Office of Public Housing Region X Office via email at [AK\\_Webmanager@hud.gov](mailto:AK_Webmanager@hud.gov) or by mail at the following address:

Seattle Regional Office of FHEO  
U.S. Department of Housing and Urban Development  
Seattle Federal Office Building  
909 First Avenue, Room 205  
Seattle, WA 98104-1000

## Evaluating and Updating the LAP

The DCCED LAP Coordinator will update this LAP as needed to reflect any change in the plan based on the prior year's demographic changes and to ensure relevancy and quality control of language access services. DCCED will review procedures for providing language access services, existing training, outreach activities, and the language access data to periodically update the language access program. To inform future LAP updates, the LAP Coordinator will:

- Maintain data on the number of LEP individuals that request language access services by primary language spoken.
- Review updated Census data as it becomes available.
- Consider new resources, including funding, collaborations with other agencies, human resources, emerging technologies, and other mechanisms to improve language access.



## **Appendix 1: Regulations and Resources**

### **Applicable Regulations**

- Title VI of the Civil Rights Act of 1964
- Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency
- 72 FR 22732, Federal Register Volume 72, Issue 13 (January 22, 2007), U.S. Department of Housing and Urban Development (HUD)

### **HUD's LEP Resources**

- [HUD's website](#)

### **Additional Alaska Resources**

- <https://dhss.alaska.gov/pages/languageaccess.aspx>