Public Involvement Plan

New Mexico Environment Department

Air Quality Bureau, Planning Section

Project: Regional Haze State Implementation Plan (SIP) Revision

Planning timeframe: February 2019 – December 2021

Project Planner: Mark Jones

Elizabeth Kuehn Digitally signed by Elizabeth Kuehn Date: 2021.03.12 08:34:16 -07'00'

Approval: _____ Date: _____

Elizabeth Bisbey-Kuehn, Chief, Air Quality Bureau

Purpose

The New Mexico Environment Department ("NMED" or "Department") developed this Public Involvement Plan ("Plan") to provide public participation opportunities and information that may be needed to participate in the Regional Haze State Implementation Plan Revision (RH SIPr). The RH SIPr is being undertaken pursuant to the federal code of regulations, Part 51, Subpart P, which requires NMED to develop and submit to EPA a revised RH SIP to protect visibility at federal Class I Areas. The nine Class I Areas in New Mexico are Bandelier Wilderness Area; Bosque del Apache Wilderness Area; Carlsbad Caverns National Park; Gila Wilderness Area; Pecos Wilderness Area; Salt Creek Wilderness Area; San Pedro Parks Wilderness Area; Wheeler Peak Wilderness Area; and White Mountain Wilderness Area.

The Air Quality Bureau ("AQB" or "Bureau") has developed this Plan to increase transparency regarding the planning and decision-making processes. This Plan integrates information about potentially affected communities and identifies resources needed by the Bureau to successfully incorporate community participation activities into the decision-making process. The Plan identifies the NMED staff and resources needed to accomplish these activities.

In developing this Plan, community participation needs across the State were assessed to ensure appropriate promotion of public outreach, by identifying whether there is a combination of environmental and demographic factors (e.g., low-income communities, minority communities, limited English proficient individuals, linguistically isolated households, etc.) that may impact public participation. This assessment identifies community outreach needs, provides for public access opportunities beyond statutory requirements, and supports the provision of adequate public access to information about the RH SIPr.

The RH SIPr may require public participation throughout different stages of planning and decision-making. The Bureau will follow this Plan, designed to ensure nondiscriminatory access to all applicable public participation opportunities related to policy, regulatory actions and statutory requirements.

Project Overview

All states and local air agencies must either submit a RH SIPr by July 31, 2021 or risk the imposition of a Federal Implementation Plan by EPA. Tribes may also submit a RH SIPr but are not required to do so. Considerable delays of over six months in the Western States Air Resource Council's Western Regional Air Partnership (WESTAR-WRAP) modeling have led to unavoidable delays in preparing the Plan. NMED intends to submit an approvable RH SIPr as soon as possible to the July 31, 2021 deadline, but not later than January 2022.

Visibility is affected by many factors, including smoke, blowing dust and industrial source emissions. The goal of the RH SIPr is to report on the progress of visibility improvement at New Mexico's 9 Class I Areas, evaluate current programs to determine whether they are adequately protective of visibility, and determine strategies for further reducing haze (and increasing visibility) by controlling anthropogenic sources of haze-related pollutant emissions.

Because haze is regional in nature, significant consultation with other states, tribes and local air agencies is required. Additionally, consultation with federal land managers is required. The Western Regional Air Partnership (WRAP) is a regional planning organization for the western states that is facilitating and conducting a significant portion of the technical analyses, with the help of member state staff.

Planning for the RH SIPr is a multi-year planning effort, which began in 2017 with the publication of the revised Regional Haze Rule. Four phases of outreach for the Department's planning process will include: (1) an introductory phase during which outreach will focus on educating the public about regional haze planning; (2) an analysis sharing phase where public meetings will be held describing possible strategies for achieving visibility goals; (3) a SIP revision phase where draft revisions will be shared with stakeholders for informal comment; and (4) a proposal and hearing phase for formal comment prior to a public hearing on the RH SIPr.

Because Class I Areas are located throughout the State, this project is expected to receive Statewide interest. Thus, outreach will be Statewide as well.

Contacts

The following are the contacts for this action. These contacts will be included in public notices and outreach materials

Project and Public Involvement Plan contacts:

Mark Jones
Air Quality Bureau
1800 East 30th Street
Farmington, NM 87401
(505) 566-9746
mark.jones@state.nm.us

Kerwin Singleton
Air Quality Bureau
525 Camino de los Marquez
Santa Fe, New Mexico 87505
(505) 476-4350
Kerwin.singleton@state.nm.us

Neal Butt
Air Quality Bureau
525 Camino de los Marquez
Santa Fe, New Mexico 87505
(505) 476-4317
Neal.butt@state.nm.us

Michael Baca
Air Quality Bureau
525 Camino de los Marquez
Santa Fe, New Mexico 87505
(505) 476-4359
michael.baca1@state.nm.us

Website:

Outreach materials and notices will include links to the following website: https://www.env.nm.gov/air-quality/2021-rh-sip/.

Non-English Language Speaker Assistance and Accommodations: The Bureau will provide Spanish interpretation services upon request at all public meetings, including public hearings, and will also include information in public notices about how persons may request interpretation services, as well as, accommodations for persons with disabilities. If any person requires an auxiliary aid (e.g., accommodations for persons who are disabled) to participate in any aspect of the Initiative, they may contact one of the project contacts above, preferably 14 days prior to the end of any given public comment period. TDD or TTY users may access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users, 1-800-659-8331.

Community Description / LEP Analysis

To address potential or existing environmental justice areas, the Bureau completed an initial screening of the potentially affected communities, using the EJSCREEN tool developed by the EPA. This tool helps

identify communities with demographic factors which may benefit from a variety of approaches for notification and outreach communication. Statistics are derived from the EJSCREEN ACS Summary Reports (2014-2018) and the U.S. Census Bureau ACS (**https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/2018/**).

Table 1: Potentially affected communities and their estimated demographics.

Potentially Affected Communities	Total number of households	Per capita income	Minority population	Linguistically Isolated Households*	Predominant Non-English Language at Home	LEP Individuals†
USA	119,730,128	32,621	28.9%	4.4%	Spanish	8.5%
New Mexico	775,651	26,085	62.3%	5.3%	Spanish	8.9%

* Linguistically Isolated Households are those in which no one 14 and over speaks English "very well," or speaks English only.
† Limited English Proficient Individuals are those that speak a language other than English at home **and** who speak English "less than very well."

The results of the EJSCREEN ACS Summary Reports indicate that a significantly larger percentage of population (62.3%) in New Mexico are a minority compared with the minority population (28.9%) of the United States. Households in New Mexico are 5.3% linguistically isolated, which is comparable to the U.S. average (4.4%). Spanish is the predominant language in these households. The per capita income is $26,085 in New Mexico; which is lower than the average of U.S. per capita income ($32,621).

The results of this screening suggest that attention should be paid to the linguistic and logistical needs of the low income, minority, linguistically isolated and limited English proficiency populations. Attention should be paid to additional language assistance, especially Spanish, but also Navajo.

Historically, participation by LEP individuals in New Mexico-led rulemaking activities has generally been through organized environmental groups, such as Diné C.A.R.E. (Citizens Against Ruining our Environment), or Juntos: Our Air, Our Water, that participate in other non-regulatory issues, such as public meetings regarding VW Settlement Funds or issues related to the Four Corners Air Quality Group. Participation by Spanish-only stakeholders has recently been limited to Albuquerque/Bernalillo County. The Bureau arranged for live translation services at the public information meetings on the VW Settlement held in Albuquerque and Las Cruces in 2017. Members of Juntos attended the VW Settlement meeting in Albuquerque, advocating for the purchase of electric school buses. No Spanish-only speakers attended the meeting in Las Cruces. Public notices for the public meetings on the proposed TSP Repeal and Fugitive Dust Rule were provided in Spanish, but we did not receive any requests for translation for those meetings. Despite the historically infrequent participation by LEP individuals in similar proceedings, it is still important for the Bureau to incorporate the linguistic and communication needs of these communities when conducting public outreach and participation activities, to foster and support further participation by these communities.

To help accomplish this, the Bureau will translate all public notices into Spanish; the same materials will be provided to the various Indian Tribes, Pueblos and Nations for distribution. Should additional Spanish or Navajo translation services be requested, the following are average costs associated with various services:

Costs associated with translation: $1000;
Costs associated with providing a language interpreter: $1000-3000, depending on the number and length of the proceeding(s) and the language assistance requested;
Costs for a court reporter: $2000.

The Bureau strives to make public participation efforts as inclusive as possible within budget and time limitations. In addition, interpretation services will be made available upon request to the appropriate contact person listed in the "Contacts" section of this Plan.

The RH SIPr is very important to the State, local governments, and industry since submitting the required approvable SIPr avoids the imposition of a Federal Implementation Plan. The RH SIPr is important to the Department to not only meet federal standards, but also to carry out its mission of protecting the air quality for the State's citizens. Neighborhood citizens and environmental organizations should view this planning effort as important for protecting their health as well as for protecting the scenic vistas at New Mexico's Class I Areas. Protecting visibility at Class I Areas is of prime importance to the Federal Land Managers (FLMs).

Details of Outreach Activities

Based on the demographics outlined above, the history of public involvement for related projects, and projected impacts to potentially affected communities, the Bureau will provide important documents and public notices in Spanish as well as English, and will also provide documents to Indian Tribes, Pueblos and Nations for distribution as they deem appropriate. All notices will include information on how to request additional materials in another language or how to request other communication assistance through NMED. Due to the interstate nature of this project NMED will work with the WRAP to conduct outreach, coordination, and consultation to FLMs, EPA, Indian Tribes and other affected states. WRAP has developed a guidance document, "WRAP Communication Framework for Regional Haze Planning," to help states and other agencies work together.

The following table offers information on how the public will be invited to participate in this project. Note that dates may be approximate. Notices will contain final dates, and specific locations and times.

Table 2: Timeline of public involvement opportunities.

Date(s)	Activity	Venue / Location	Time	Language service
April 2019	Email announcement of web page and project	AQB Listserv – Regional Haze list and Proposed Regulations list; Indian Pueblos and Nations	n/a	English and Spanish; notices will include a statement regarding availability of Spanish or Navajo interpretation services
May 2019	Web page published: 2021 Regional Haze Planning	https://www.env.nm.gov/air-quality/reg-haze/	Updated monthly	English and Spanish
May 2019 – September 2021	EPA, Interstate and FLM Consultations	TEAMS meetings and calls	TBD	
October 2, 2019	Introductory Webinar: *Regional Haze - 2021 State Implementation Plan Revision SIPr*	Webex	10 a.m. - noon	English; Spanish and Navajo interpretation upon request

Date(s)	Activity	Venue / Location	Time	Language service
August 25, 2020	Webinar: Stakeholder Outreach Webinar #2 (Progress update and solicit feedback from stakeholders)	Webex	10 a.m. - noon	English; Spanish and Navajo interpretation upon request
February 2021 – April 2021	WRAP Results meetings on Regional Modeling	Webex - https://www.wrapair2.org/	TBD	TBD
March 2021	Letter to Tribal Environmental Leaders notifying them of upcoming Initial Proposal and offering communications assistance	Letter to Tribal Environmental Leaders	n/a	English; Spanish and Navajo interpretation upon request
July 1, 2021	Draft NMED Proposal ready for informal comment & formal FLM Consultations	Listserv, website	n/a	English; Spanish and Navajo interpretation upon request
June 2021 – July 2021	Public Meetings state-wide	Webex or TEAMS	TBD	English; Spanish and Navajo interpretation upon request
September 3, 2021	Petition and Statement of Reasons submitted to EIB	https://www.env.nm.gov/environmental-improvement/main-2/	n/a	
September 24, 2021	EIB hearing to request December 2021 Hearing	Virtual Hearing	TBD	English; Spanish and Navajo interpretation upon request
October 13, 2021	Publication of hearing notice in NM Register	Register	n/a	English and Spanish
October 13, 2021	Publication of hearing notice in local news-papers (English & Spanish)	Newspapers Albuquerque Journal and Santa Fe New Mexican	n/a	English and Spanish
October 13, 2021	Email announcements for public hearing (SIP revision)	AQB Listserv	n/a	English; Spanish and Navajo interpretation upon request
October 13, 2021	Press releases to local radio stations	Press Release	n/a	English; Spanish and Navajo interpretation upon request
December 17, 2021	Public Hearing	Virtual Hearing	TBD	English; Spanish and Navajo interpretation upon request

Public notices and outreach materials will inform the public that they can receive email updates through NMED's listserv by signing up at https://public.govdelivery.com/accounts/NMED/subscriber/new, then choosing which topics they are most interested in. This project will periodically send updates to the AQB *Regulatory and SIP Announcements* and *Regional Haze Listservs*.

The following web sites provide access to the official notices electronically, per the publication outlets described above:

Albuquerque Journal
http://legals.abqjournal.com/

Santa Fe New Mexican
https://www.santafenewmexican.com/ (legal

There are many land grants within the state. Notices to land grants will be sent to the New Mexico Land Grant Council contact:

NM Land Grant Council
1829 Sigma Chi Rd SE
Albuquerque NM 87106
nmlandgrantcouncil@unm.edu

Public notice will also be sent to pueblos and tribes via email to the email addresses listed below:

- Pueblo of Acoma: fmartinez@poamail.org
- Pueblo of Cochiti: jacob_pecos@pueblodecochiti.org
- Pueblo of Isleta: ramona.montoya@Isletapueblo.com
- Pueblo of Jemez: paul.clarke@jemezpueblo.org
- Pueblo of Laguna: gjojola@lagunapueblo-nsn.gov
- Pueblo of Nambe: srydeen@nambepueblo.org
- Pueblo of Ohkay Owingeh: larry.phillips@ohkay.org
- Pueblo of Picuris: administrator@picurispueblo.org
- Pueblo of Pojoaque: aduran@pojoaque.org
- Pueblo of San Felipe: pstout@sfpueblo.com
- Pueblo of San Ildefonso: rmartinez@sanipueblo.org
- Pueblo of Sandia: gkaufman@sandiapueblo.nsn.us
- Pueblo of Santa Ana: alan.hatch@santaana-nsn.gov
- Pueblo of Santa Clara: dinoc@santaclarapueblo.org
- Pueblo of Santo Domingo: cnaha@kewa-nsn.us
- Pueblo of Taos: mvigil@taospueblo.com
- Pueblo of Tesuque: sstauffer@pueblooftesuque.org
- Pueblo of Zia: jyoung@ziapueblo.org
- Pueblo of Zuni: tammy.parker@ashiwi.org
- Pueblo of Ysleta Del Sur (Tigua): ecruz@ydsp-nsn.gov
- Navajo Nation: valinda.shirley@navajo-nsn.gov
- Jicarilla Apache Nation Environmental Protection Office: cltecube@yahoo.com
- Mescalero Apache Tribe: thora@mescalerodrmp.org
- Fort Sill Apache Tribe: jennifer.heminokeky@fortsillapache-nsn.gov
- Southern Ute Tribe Environmental Program - Air Quality: dpowers@southernute-nsn.gov
- Ute Mountain Tribe Environmental Program - Air Quality: jarchuleta@utemountain.org
- TO'HAJIILEE Navajo Chapter: tohajiilee@navajochapters.org
- Eight Northern Indian Pueblos Council: boyd.nystedt@enipc.org
- Navajo Nation EPA: airquality@navajo-nsn.gov

Document Repositories

The following is a list of locations where copies of relevant documents will be available to the community. Public notices and outreach materials will inform the public of these locations, as appropriate.

NMED District I Field Offices

Albuquerque
121 Tijeras Ave. NE STE 1000
Albuquerque, NM 87102-3400
Phone (505) 222-9500

Clovis Field Office
100 E. Manana, Unit 3
Clovis, NM 88101
Phone (575) 762-3728

Gallup Field Office
911 Metro Avenue
Gallup, NM 87301
Phone (505) 722-4160

Milan
708 Uranium Ave.
Milan, NM 87021
Phone (505) 209-4042

Los Lunas
475 Courthouse Rd SE Suite B
Los Lunas, New Mexico 87031
Phone (505)841-5280

Rio Rancho
4359 Jager Drive NE, Suite B
Rio Rancho, NM 87144
Phone (505) 771-5980

Tucumcari
113 W. Center
Tucumcari, NM 88401
Phone (575) 461-1671

NMED District II Field Offices

Santa Fe
2540 Camino Edward Ortiz
Santa Fe, NM 87507
Phone (505) 827-1840

Española
712 La Joya Street
Española, NM 87532
Phone (505) 753-7256

Farmington
1800 East 30th Street
Farmington, NM 87401
Phone (505) 566-9741

Las Vegas
2538 Ridgerunner Road
Las Vegas, New Mexico 87701
Phone (505) 454-2800

Raton
1277A South Second Street
Raton, NM 87740
Phone (575) 445-3621

Taos
145 Roy Road, Suite B
Taos, NM 87571
Phone (575) 758-8808

NMED District III Field Offices

Las Cruces
2301 Entrada del Sol
Las Cruces, NM 88001
Phone (575) 288-2050

Alamogordo
811 E. First St, Suite D
Alamogordo, NM 88310
Phone (575) 437-7115

Carlsbad
406 N. Guadalupe, Suite C
Carlsbad, NM 88220
Phone (575) 885-9023

Deming
405 East Florida Street
Deming, NM 88030
Phone (575) 546-1464

Hobbs
726 E. Michigan, Suite 160
Hobbs, NM 88240
Phone (575) 391-046

Roswell
1914 W. Second
Roswell, NM 88201
Phone (575) 624-6046

Ruidoso
1216 E. Mechem, Building 2
Ruidoso, NM 88345
Phone (575) 258-3272

Silver City
3082 32nd St Bypass Road, Suite D
Silver City, NM 88061
Phone (575) 388-1934

Electronic copies will be available at the following link, which will be included in public notices and outreach materials as appropriate: https://www.env.nm.gov/air-quality/reg-haze/.