



**NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU**



**PUBLIC INVOLVEMENT PLAN
(PIP)**

Facility Name: Angel Fire, LLC

Facility Location: 36.4304940, -105.2943530
Angel Fire, NM
1T, 25N, R15E, Sections 150, 167, 168

Latitude/longitude: 36.4304940, -105.2943530

County: Colfax

VRP Applicant: Angel Fire, LLC
c/o Godfrey & Kahn SC. 833
E. Michigan Street, Suite 1800
Milwaukee, WI 53202

Agency: Ground Water Quality Bureau
Voluntary Remediation Section

GWQB Action: VRP Site No. 53191002

Bureau Contact: Jennifer Muus, VRP Project Manager
(505) 670-2496
jennifer.muus@state.nm.us

Main bureau telephone number:
(505) 827-2900

EFFECTIVE DATE: May 2021

REVISION DATE: N/A

Karen Menetrey, Program Manager
Remediation Oversight Section, Ground Water Quality Bureau

Element 1 – Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (NMED or Department), Ground Water Quality Bureau (Bureau) has developed this PIP for the Voluntary Remediation Program (VRP) Application for Determination of Eligibility. This VRP site is referred to as the **Angel Fire, LLC site** or **VRP Site No. 53191002**.

The purpose of this PIP is to provide public participation opportunities and information that may be needed for the community to participate in the Voluntary Remediation process for this facility. This PIP identifies information about the community and resources needed by the Bureau to incorporate community participation activities into the decision-making process. This PIP is developed in accordance with the Department's *Public Participation Policy* (Policy 07-13 or Policy), and incorporates the requirements of the Policy, as well as applicable regulatory and statutory public participation requirements.

This PIP implements the “elements” set forth in the Policy. Those elements include:

1. An overview of the Public Involvement Plan for the community affected by the activity;
2. Bureau contact names and contact information, specifically for Limited English Proficiency (LEP) language assistance services (e.g., translation, interpreters) or for disability accommodations;
3. A summary of the regulatory public participation framework associated with the Voluntary Remediation process;
4. A description of community/stakeholder groups based on results of a preliminary environmental justice (EJ) screening; and
5. Details about planned public outreach activities.

In developing this PIP, community participation needs were assessed to ensure appropriate public outreach. This was accomplished by using the U.S. Environmental Protection Agency's (EPA) Environmental Justice Screening and Mapping Tool (EJSCREEN) to identify whether there is a combination of environmental and demographic factors that may impact public participation (e.g., low income community, minority community, LEP individuals, linguistically isolated households). Because the community located near the **Angel Fire, LLC site** includes a significant percentage of Spanish speakers, the Bureau will provide appropriate information in both English and Spanish.

The Bureau plans to conduct the public involvement activities related to the Voluntary Remediation process outlined in Table 1 - *Public Involvement Activities*. The activity timeline and dates are tentative and subject to change.

Table 1 - Public Involvement Activities

Activity	Date
Placement of a hardcopy of the PIP in the local NMED office: Harold Runnels Building Room N2250 1190 Saint Francis Drive Santa Fe, NM 87502	June 2021
Notice of availability of the VRP application and associated PIP	Date anticipated: June 2021
Notice of availability of the VRA and VRP Work Plan	Date anticipated: June 2021
Public Meeting Notice	Not Applicable
Public Meeting	Not Applicable
Public Hearing	Not Applicable

All notices for upcoming meetings or hearings, if applicable, will include a statement that any person who requires assistance, an interpreter, or an auxiliary aid to participate in the process may contact a specifically identified Department person to request those services. Requested interpretation services during the meeting and accommodations or services for persons with disabilities will be arranged to the extent possible.

This PIP is a “living” document that may be amended for numerous reasons, including the consideration of public comments and feedback.

Element 2 – Bureau Contact Information

PIP Specific Contacts

The Bureau contact for this Voluntary Remediation site is:

Jennifer Muus, Project Manager
NMED Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502-5469
(505) 670-2496
jennifer.muus@state.nm.us

Non-English Language Speaker Assistance

All public notices will contain a statement that non-English speakers may call the Bureau contact listed above and request language assistance in order to learn more about this Voluntary Remediation site or the Voluntary Remediation process. Arrangements may be made for document translation or interpretation related to the process as necessary and as resources allow.

Individuals with Disabilities Assistance

All public notices will contain a statement that disabled individuals may call the Bureau contact listed above and request assistance needed to participate in activities associated with the process.

The following information will be provided in public notices so that hearing-impaired callers can contact the Bureau and ask questions about the activity or proceeding: Toll-free numbers are available for TDD or TTY users to access the New Mexico Relay network (for deaf or hearing-impaired callers), 1-800-659-1779; TTY users: 1-800-659-8331.

Websites

Outreach materials and notices will include links to the following website, where the Bureau's public notices and PIP information are posted:

Ground Water Quality Bureau – Public Notices and PIPs:

<https://www.env.nm.gov/gwqb/public-notice/>

Element 3 – Regulatory Framework for Public Participation Related to the Voluntary Remediation Process

Public involvement associated with the Voluntary Remediation process occurs at different stages and in different forms. Public involvement activities required by statute or regulation are mandatory and subject to statutory or regulatory deadlines. Mandatory public involvement activities, associated time requirements, and the associated dates or time periods relevant to this PIP are noted in the *Table 2 - Mandated Public Involvement Activities*.

Table 2 - Mandated Public Involvement Activities

Activity	Dates
Applicant makes available the proposed Voluntary Remediation Agreement	Within 10 days of receipt of the conditional eligibility determination From the Department
Notice the proposed Voluntary Remediation Agreement and Preliminary Voluntary Remediation Work Plan The Applicant's obligations, per 20.6.3.300.B.1(a) NMAC: <ul style="list-style-type: none"> • Posting the Notice at the site; • Notice to local, state, federal, tribal or pueblo governmental agency affected; • Notification of interested parties; and • Publication of a Notice in newspapers 	Within 30 days of approval of receipt of the conditional eligibility determination From the Department
Notice of a Public Meeting or Hearing, if the Secretary determines there is substantial public interest <ul style="list-style-type: none"> • Post on NMED website https://www.env.nm.gov/gwqb/public-notice/ • Publish in Newspapers; • Notice to interested parties; • Notice to government agencies; and • Notice to Indian Tribes, Pueblos and Nations 	Notice of the meeting or hearing shall occur at least 10 days prior to the event.

Element 4 – Description of Community/Stakeholder Groups Based on the EJSCREEN

EJSCREEN Summary

To provide for adequate public participation opportunities and meaningful involvement of persons in the Voluntary Remediation process, the affected communities must first be identified, informed about proposed environmental actions affecting the community, and invited to share their comments and concerns. The EJSCREEN tool developed by the U.S. Environmental Protection Agency (EPA) helps identify communities that are low income, have minority populations, and have limited English proficiency that may benefit from a variety of approaches for notification and outreach communication. This information is used to help plan for the community's involvement in the public process for environmental activities or actions. In addition to the EJSCREEN results, the Bureau may consider additional information such as the U.S. Census Bureau website or NMED's EJ Mapping Tool.

The Bureau considers the affected community to be those persons living within a four-mile radius of the site. The results of the EJSCREEN American Community Survey (ACS) Summary Report

(Attachment 2 to this PIP) are summarized in *Table 3 EJSscreen Results for the Affected Community* which can be found at the end of the section.

Table 3 - EJSscreen Results for the Affected Community

Total population	768
Total number of households	357
Percentage minority population	25%
Percentage Hispanic population	23%
Percentage of the population by race	Population reporting one race: White:93% Black:0% American Indian:0% Asian:0% Pacific Islander:0% Some Other Race:3%
Total number of persons greater than the age of five who speak English “less than very well”	22
Percentage of persons greater than the age of five who speak English “less than very well”	3%
Total number of linguistically isolated households	19
Percentage of linguistically isolated households (Total number of linguistically isolated households ÷ total number of households X 100)	5.3%
Languages by percentage in linguistically isolated households	Spanish:95% Other Indo-European languages:0% Asian-Pacific Island languages:5% Other languages:0%
Percent linguistically isolated population, New Mexico*:	5.4%
Per capita income	\$25,735
Per capita income, USA**	\$29,979

* U.S. Census Bureau. 2011-2015 American Community Survey 5-Year Estimates, Table S1602. Limited English Speaking Households. https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_5YR/S1602/0400000US35 (date of access: 7/26/2018).

** U.S. Census Bureau. 2015 American Community Survey 1-Year Estimates, Table S0201. Selected Population Profile in the United States. https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_1YR/S0201/0100000US (date of access: 7/26/2018).

The EJSCREEN results indicate that for the affected community the proportion of the population with limited English proficiency (LEP) is significant, and that the predominant non-English language/languages is Spanish. The Bureau has therefore performed a LEP assessment for the community and attaches that assessment to this PIP.

Because the affected community has a significant percentage of persons with difficulties communicating in English, the Bureau will consider the language and communication needs of this community when conducting public outreach and participation activities. To accomplish this the Bureau, to the extent its budget and time limitations allow, will provide the same information in Spanish as in English in public comment notices, public meeting notices, and other announcements (e.g., radio broadcasts, brochures, signs, postcards) and will strive to make public participation efforts as inclusive as possible. See Element 5 for more specifics on the public outreach and participation activities.

Element 5 – Detailed Actions and Outreach Activities with the Affected Public

Public involvement activities required by statute or regulation associated with the Voluntary Remediation process are listed in the *Table 2 of Mandated Public Involvement Activities*.

Public Participation – Outreach Activities

The Bureau will conduct the following outreach activities associated with the Voluntary Remediation process:

- Placement of this PIP on the Bureau website and in nearby NMED office
- Notice posted on NMED website
- Document repositories
- Public meetings

Newspapers utilized in the notification process include:

- Statewide circulation : (English and Spanish) Albuquerque Journal

Local, state, and federal government agencies, tribal entities, and land grant officials will be notified about the VRP application. A list of the agencies and officials notified can be provided upon request.

Indian Tribes, Pueblos and Nations will be notified about the permitting action through the contacts maintained by the Indian Affairs Department at the following URLs:

<http://www.iad.state.nm.us/apaches.html>

<http://www.iad.state.nm.us/navajo.html>

<http://www.iad.state.nm.us/pueblos.html>

Because of the proximity of Taos Pueblo, a courtesy email will be sent to the environmental director or manager of Taos Pueblo.

Timelines and methods for submitting public comments are specified in the *Table 2 - Mandated Public Involvement Activities*. Final documents will be available from the Bureau's contact identified in Element 2 of this PIP.

Postal Mailing or E-Mailing of Notices to Persons on the Facility-Specific Mailing List

The Bureau solicits the names and contact information of interested parties with all public notices. The Bureau maintains those names on a Facility-Specific Mailing List and provides the individuals with information about regulatory activities for the facility. Individuals, organizations, and other interested parties are added to the mailing list as requested. All public notices will contain a statement directing interested individuals to contact the Bureau contact for this permit if they want to be added to the facility specific mailing list.

Other means of outreach such as fliers announcing public comment periods and/or public meetings, or hearings may be posted in locations throughout the community (e.g., local businesses, schools, libraries) and on the Department's website, at the Bureau's discretion after consideration of public interest and input.

PIP Contingency Plan

During a public health emergency or other unforeseen event outside the control of the Department, the Department will make every effort to ensure the public remains involved in and informed of the decision making and permit processes. The purpose of this PIP Contingency Plan is in part to address circumstances when public spaces are closed because of potential human exposure risks. The Department will attempt to identify and utilize alternate methods of document delivery to the public and public viewing when conventional methods and locations are unavailable. When it is unsafe to utilize the physical PIP, the Department will consider utilizing electronic delivery methods deemed appropriate for the permitting action. While operating under the PIP Contingency Plan, the PN will include a statement specifying that the PIP Contingency Plan is in effect and that, "instead of placing a copy of the PIP for this permitting action in a public location, NMED will make the PIP available to the community by sending the PIP by email or US mail to any community member requesting a copy. An individual may request a copy of the PIP utilizing the Bureau contact information in this public notice. When making such a request, please specify how you would like the document delivered. If you request a copy of a PIP, you will receive a revised PIP should the PIP be updated in the future." During the times of potential human exposure risks and the resultant implementation of this PIP Contingency Plan, public meetings and hearings will only be held when or through means by which the Department can ensure the public's health and safety and this PIP can be fully adhered to.

Attachments

- Attachment 1 - LEP Assessment
- Attachment 2 - A copy of the EJSCREEN ACS Summary Report, and a map showing the area evaluated

ATTACHMENT 1

Limited English Proficiency (LEP) Assessment

Facility: Angel Fire, LLC, VRP Site No. 53191002

Factor 1: The Number and Proportion of LEP Individuals Eligible to be Served or Likely to be Encountered in Community of Concern

See Public Involvement Plan (PIP), Table of EJSCREEN Results for the Affected Community.

Conclusions:

1. The number of LEP individuals (persons over the age of 5 who speak English “less than very well” in the affected community) is 22;
2. The percentage of LEP individuals in the affected community is 3%;
3. The percentage of linguistically isolated households is 5.3%, which is somewhat less than, the statewide average;
4. Spanish is the predominant non-English language spoken by LEP persons; and
5. Historical participation: No one has requested to be placed on a facility-specific mailing list. A review of the administrative record for this facility indicates limited public interest/participation overall during the past 10 years. The portion of that public interest attributable to the LEP community cannot be determined from the record.

Factor 2: Frequency with which LEP Individuals Might Come in Contact with the Program

Contact with the VRP would occur when an application is under review. The applicant provides notice to the public and the GWQB encourages participation. Individuals may participate by requesting information, submitting comments on the VRA and the preliminary Voluntary Remediation Work Plan, requesting hearings, and taking part in hearings. Some sites generate considerable public interest, but participation is low for most sites. Historical participation in VRP activities for this facility is summarized under Factor 1.

Conclusion:

LEP participation and overall public interest in this facility have been limited historically. Based on this record, the Bureau considers the potential for LEP contact with the permitting process to be “infrequent.”

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

The Voluntary Remediation activity is deemed by the GWQB to be "important" to NMED, the impacted community, and the State of New Mexico. The VRP activity is important to NMED because it establishes site-specific requirements that must be met to ensure protection of public health and groundwater quality and provides a means to enforce those requirements. The VRP

activity is important to the impacted community because abandoned, blighted, and potentially contaminated property have the potential to pose a public nuisance and adversely affect the quality of life of people living in the vicinity of the facility. The VRP activity is important to the State of New Mexico because establishment of an effective remediation plan ensures that sites will be remediated to protect the State's limited groundwater resources and human health.

Conclusion:

The GWQB considers the VRP activity “important” to NMED, to the state as a whole, and to the impacted community.

Factor 4: Resources Available to NMED for LEP Services and Associated Costs

For outreach to LEP communities associated with this VRP action, NMED employs an in-house Spanish translator/interpreter and utilizes a phone interpretation service to assist during direct communication between LEP individuals and NMED staff. The costs of newspaper publication of public notice and public meeting or hearing costs are borne by the applicant. The GWQB will provide interpretive services if needed.

Conclusion:

The Bureau can accommodate the costs of the LEP services identified in this plan. If additional services are requested, the budgetary implications will be reviewed.

LEP Services Plan:

The Bureau plans to:

1. Translate the Public Notice and any subsequent public notices into Spanish,
2. Provide interpretive services at any public meeting or public hearing, if requested.
3. Interact with members of the LEP community using certified interpreters, when needed.

The Bureau will consider requests from members of the affected community for additional LEP services.

ATTACHMENT 2
EJSCREEN ACS Summary Report and Map

Location: User-specified point center at 36.430494, -105.294353

Ring (buffer): 4-miles radius

Description:

Summary of ACS Estimates		2014 - 2018	
Population		768	
Population Density (per sq. mile)		10	
People of Color Population		195	
% People of Color Population		25%	
Households		357	
Housing Units		1,796	
Housing Units Built Before 1950		169	
Per Capita Income		25,735	
Land Area (sq. miles) (Source: SF1)		77.93	
% Land Area		100%	
Water Area (sq. miles) (Source: SF1)		0.12	
% Water Area		0%	

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	768	100%	640
Population Reporting One Race	742	97%	1,091
White	718	93%	648
Black	1	0%	30
American Indian	3	0%	199
Asian	0	0%	12
Pacific Islander	0	0%	12
Some Other Race	20	3%	190
Population Reporting Two or More Races	27	3%	48
Total Hispanic Population	174	23%	554
Total Non-Hispanic Population	595		
White Alone	573	75%	396
Black Alone	1	0%	30
American Indian Alone	3	0%	181
Non-Hispanic Asian Alone	0	0%	12
Pacific Islander Alone	0	0%	12
Other Race Alone	0	0%	12
Two or More Races Alone	18	2%	43
Population by Sex			
Male	410	53%	382
Female	358	47%	430
Population by Age			
Age 0-4	36	5%	49
Age 0-17	110	14%	256
Age 18+	658	86%	541
Age 65+	228	30%	343

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2014 - 2018

Location: User-specified point center at 36.430494, -105.294353

Ring (buffer): 4-miles radius

Description:

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	576	100%	478
Less than 9th Grade	10	2%	229
9th - 12th Grade, No Diploma	36	6%	69
High School Graduate	74	13%	182
Some College, No Degree	207	36%	233
Associate Degree	36	6%	78
Bachelor's Degree or more	249	43%	361
Population Age 5+ Years by Ability to Speak English			
Total	733	100%	641
Speak only English	581	79%	449
Non-English at Home ¹⁺²⁺³⁺⁴	152	21%	523
¹ Speak English "very well"	130	18%	413
² Speak English "well"	11	1%	275
³ Speak English "not well"	5	1%	57
⁴ Speak English "not at all"	6	1%	22
³⁺⁴ Speak English "less than well"	11	2%	57
²⁺³⁺⁴ Speak English "less than very well"	22	3%	281
Linguistically Isolated Households*			
Total	19	100%	67
Speak Spanish	18	95%	65
Speak Other Indo-European Languages	0	0%	12
Speak Asian-Pacific Island Languages	1	5%	12
Speak Other Languages	0	0%	12
Households by Household Income			
Household Income Base	357	100%	189
< \$15,000	83	23%	125
\$15,000 - \$25,000	13	4%	85
\$25,000 - \$50,000	85	24%	163
\$50,000 - \$75,000	58	16%	80
\$75,000 +	118	33%	139
Occupied Housing Units by Tenure			
Total	357	100%	189
Owner Occupied	238	67%	182
Renter Occupied	119	33%	76
Employed Population Age 16+ Years			
Total	672	100%	509
In Labor Force	399	59%	431
Civilian Unemployed in Labor Force	49	7%	112
Not In Labor Force	273	41%	349

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS)

*Households in which no one 14 and over speaks English "very well" or speaks English only.

Location: User-specified point center at 36.430494, -105.294353

Ring (buffer): 4-miles radius

Description:

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	N/A	N/A	N/A
English	N/A	N/A	N/A
Spanish	N/A	N/A	N/A
French	N/A	N/A	N/A
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	N/A	N/A	N/A
Yiddish	N/A	N/A	N/A
Other West Germanic	N/A	N/A	N/A
Scandinavian	N/A	N/A	N/A
Greek	N/A	N/A	N/A
Russian	N/A	N/A	N/A
Polish	N/A	N/A	N/A
Serbo-Croatian	N/A	N/A	N/A
Other Slavic	N/A	N/A	N/A
Armenian	N/A	N/A	N/A
Persian	N/A	N/A	N/A
Gujarathi	N/A	N/A	N/A
Hindi	N/A	N/A	N/A
Urdu	N/A	N/A	N/A
Other Indic	N/A	N/A	N/A
Other Indo-European	N/A	N/A	N/A
Chinese	N/A	N/A	N/A
Japanese	N/A	N/A	N/A
Korean	N/A	N/A	N/A
Mon-Khmer, Cambodian	N/A	N/A	N/A
Hmong	N/A	N/A	N/A
Thai	N/A	N/A	N/A
Laotian	N/A	N/A	N/A
Vietnamese	N/A	N/A	N/A
Other Asian	N/A	N/A	N/A
Tagalog	N/A	N/A	N/A
Other Pacific Island	N/A	N/A	N/A
Navajo	N/A	N/A	N/A
Other Native American	N/A	N/A	N/A
Hungarian	N/A	N/A	N/A
Arabic	N/A	N/A	N/A
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	N/A	N/A	N/A
Total Non-English	N/A	N/A	N/A

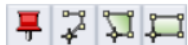
Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2014 - 2018.

*Population by Language Spoken at Home is available at the census tract summary level and up.

Select Location

☐ Draw a Site



(Select one of the buttons to start drawing)

☒ Enter a location or a latitude/longitude

36.430494, -105.294353

Go

(example, Fairfax, VA or 37.751204, -122.431539)

☐ Click on map to select a census block group

☐ Enter a census block group id

Go

(example, 060750229021)

