



Office of the Governor
MICHELLE LUJAN GRISHAM

490 Old Santa Fe Trail Room 400
Santa Fe, NM 87501

Phone: (505) 476-2200

Fiscal Year 2021 STRATEGIC PLAN



STATE OF NEW MEXICO

AGENCY

Department of Environment

Leadership



Governor Michelle Lujan Grisham's priorities

Transformative strategic investments in public education: My team will work hand-in-hand with educators, students, parents and communities to build both a pre-kindergarten and K-12 public education system that is equitable, well-funded and provides New Mexico schoolchildren with every single opportunity they need to succeed.

Improved access to high-quality health care throughout the state: We will leverage additional federal funding for Medicaid-eligible clients while proactively reaching out to eligible New Mexicans across the state to ensure every family has access to the care they need when they need it.

Comprehensive health and well-being services for children and families: We will make significant investments in protective services personnel and advanced screening and case management services while continuing to leverage federal funds to ensure the safety of our most vulnerable youth.

In Building the 21st Century economy New Mexico deserves: My team will creatively and aggressively leverage core strengths and growth areas, establish long-term partnerships in the film and television industries and launch sustainable new economic areas like cybersecurity, aerospace, value-added agriculture and intelligent manufacturing.

Sustainable investments in the workforce: After having boosted the minimum wage for the first time in a decade, we will expand our apprenticeship programs and invest in job training programs, financial aid and the College Affordability Act.

Prudent fiscal management: We will safeguard taxpayer dollars and key investments by targeting healthy General Fund reserves and deploying tax stabilization tools.

*Cabinet Secretary
James C. Kenney*



Our Fiscal Year 2021 strategic plan is an exciting commitment to protect public health and the environment across New Mexico's communities. Our approach is simple and guided by four basic principles:



Science: Using the best available science to inform our decision-making.



Innovation: Employing creative engineering and technological solutions to address environmental problems.



Collaboration: Engaging communities and interested stakeholders in decision-making.



Compliance: Ensuring meaningful compliance with state regulations and permits.

You can stay informed on what we are doing in your community and across the State by following us on Twitter, Facebook, or Instagram.





Table of Contents

Vision, Mission and Values.....	4
Organizational Structure.....	5
Resource Management Division (P567).....	6
Water Protection Division (P568).....	8
Resource Protection Division (P569).....	11
Environmental Protection Division (P570).....	14
Appendix.....	17



Vision, Mission and Values

OUR VISION

To create a thriving and trusted organization that protects public health and the environment through its dedicated public servants.

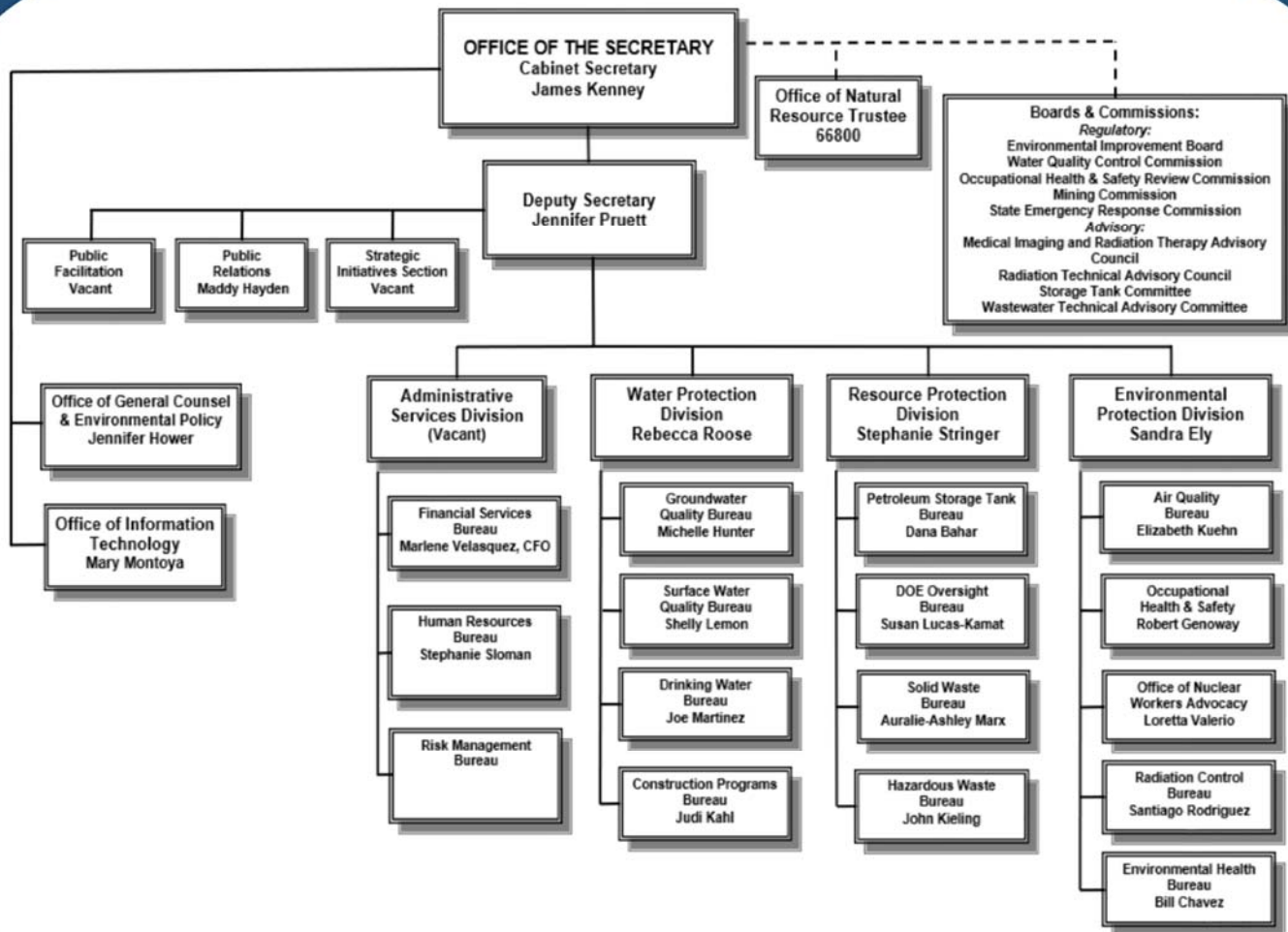
OUR MISSION

To protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations.

OUR GUIDING VALUES

Science, Innovation, Collaboration, and Compliance.

Organizational Structure



Resource Management Division (P567)

Purpose of the Program

To provide leadership and strategic vision across the New Mexico Environment Department (“NMED” or “the Department”).
To empower all management and staff to implement their portion of the Department’s mission to the fullest extent possible.
To create a professional, diverse and accountable workforce.

Program Users

The public who places its trust in the air they breathe, the water they drink, the land on which they live. State agencies, county and local governments, tribes and pueblos who we collaborate with, provide funding to, offer technical assistance to, etc. More than 500 NMED employees who work and live across New Mexico to fulfill our critical mission. The regulated community, from locally-owned cafés to the world’s largest oil and gas producers who rely on certainty and a level playing field. The media who helps tell our stories across New Mexico’s communities and the U.S. The Governor and Lieutenant Governor, the Legislature, the federal government, and the public who all hold us accountable to successfully implementing our mission.

Benefits to New Mexicans

- A highly functioning NMED that excels in protecting public health and the environment.
- Equal public health and environmental protections for all New Mexicans, tribal/pueblo members, indigenous people irrespective of socio-economic status.
- A responsive and clear Department that can explain complex scientific and technical issues in simple manner to all members of the public.
- Timely, accurate and transparent public information.
- NMED’s budget is developed and implemented to ensure its programs are effective and built on the foundation of science, innovation, collaboration and compliance.
- Diligent oversight of public funds and civil servants.

Budget and FTE

	FTE	Budget
NMED Overall	702.5	\$130,134,500
Office of the Secretary	13.0	\$1,587,500
Office of General Counsel	16.0	\$1,723,100
Office of Information Technology	27.0	\$3,479,300
Financial Services Bureau	32.25	\$3,036,900



*Left to right:
Jennifer Pruett, Deputy Cabinet Secretary
Maddy Hayden, Public Information Officer
Jennifer Hower, General Counsel*

Statutory Authority and Activities - See appendix for a comprehensive listing.



Resource Management Division (P567)

Program Goals and Objectives

- Lead and partner with stakeholders to execute the Governor's Executive Order on Climate Change and Energy Waste Prevention: creation of a Climate Change Task Force; increases in renewables and energy efficiency; and development of a statewide, enforceable regulatory framework for reductions in oil and gas sector methane emissions.
- Implement the Fluid Oil and Gas Waste Act (HB 546) which: clarifies produced water regulations in the state, mandates oversight and permitting by NMED if produced water is transported beyond the oil and natural gas industry; strives to wean industry off of fresh water usage.
- Implement the Hemp Manufacturing Act (HB 581) which: clears the way for commercial and industrial production of hemp and related products; establishes a regulatory framework for production, testing, manufacturing, and transport of hemp-finished products.
- Increase awareness of NMED's commitment to protecting the environment and maximizing all resources available to communities by maximizing the use of all available communication tools.
- Hold federal facilities accountable for high-priority, new and legacy contamination sites.
- Share more data in a transparent, easily accessible way for all stakeholders.
- Provide open avenues of communication with tribal governments to increase collaboration earlier in the rulemaking process and other areas of interest.
- Create and expand employee training and development programs. Generate policies that empower retention and follow labor laws. Actively recruit positions to lower vacancy rates and build up staffing levels within the Department. Expand on employee motivation and recognition programs and policies.
- Expand financial and budgetary knowledge to assist with NMED's complex funding to allow NMED to maximize resources to communities.

Strategic Actions

- Provide/offer services in timeframes the regulated community wants and the legislature expects, so NMED can be more enterprise-like.
- Enhance the experience and ease of the public and regulated communities experience by offering online payment services.
- Design our FY21 budget request to retain current and future staff by addressing pay parity and unfunded vacancies.
- Create positions to address functions previously cut from the Department including:
 - Tribal Liaison,
 - Human Resources staff;
 - Information Technology staff;
 - Risk Management staff;
 - Facility/Operations Coordinator,
 - Federal Grants Coordinator, and
 - Compliance Program Coordinator.
- Develop an increased enterprise focused operation through pursuing new and expanded federal grant and other funding opportunities.
- Create an online data platform through a state-of-the-art website to increase transparency of digitized documents, data, GIS tools, etc.

Water Protection Division (P568)

Purpose of the Program

To ensure the cleanest and safest water supplies for New Mexicans today and into the future through the protection of surface water and groundwater quality. This includes providing financing for and oversight of water infrastructure systems.

Program Users

A public that expects to consume clean and safe drinking water whether in an urban or rural community. A public that recreates in and along New Mexico's lakes, rivers and streams. Regulated entities who rely on relationships with regulators to provide technical and consistent expertise. Local governments, municipalities, and private utilities in need of technical and/or financial assistance to repair, update or add water and solid waste infrastructure. Tribes, pueblos and nations whose water quality may be impacted by others. All others who ensure our accountability to mission, including: The Governor, the Legislature, the federal government and the public.

Benefits to New Mexicans

- Prevention and remediation of groundwater contamination protects drinking water for 95% of New Mexico residents.
- Children, elderly, and other vulnerable populations have safe, reliable and a trusted source of drinking water.
- Healthy rivers and lakes are essential elements of a thriving economy that relies on recreation, tourism and agriculture.
- Investment of 21st Century infrastructure upgrades for our counties, cities and towns foster healthy communities.
- Economic development opportunities on formerly contaminated properties reinvigorate communities.
- Water resources are protected to meet current and future demand.
- New Mexicans can access information about drinking water, groundwater and surface water quality to protect their families, including in the aftermath of spills, such as Gold King Mine.

Budget and FTE

	FTE	Budget
Office of the Director	4.25	\$548,800
Construction Programs Bureau	25.0	\$2,635,500
Drinking Water Bureau	66.0	\$9,048,000
Ground Water Quality Bureau	62.0	\$8,538,700
Surface Water Quality Bureau	46.0	\$8,373,700



*Rebecca Roose, Director
Water Protection Division*

Statutory Authority and Activities - See appendix for a comprehensive listing.



Water Protection Division (P568)

Program Goals and Objectives

- Improve public drinking water system compliance with health-based standards in large, mid-size and small communities.
- Support municipalities and public water systems through full implementation of the Water Conservation Fund.
- Implement the Produced Water Act to preserve freshwater resources, protect water quality and public health and provide regulatory certainty.
- Improve the resiliency and efficiency of the Groundwater Permit Program to better serve the public.
- Strengthen enforcement and compliance for groundwater permits and facilities under abatement for groundwater contamination.
- Actively address clean-up and remediation of contaminated properties in New Mexico.
- Utilize all available tools, programs and resources to enhance protections for surface waters.
- Maximize financing opportunities for water, wastewater and solid waste infrastructure investments in communities.
- Improve collaboration and communication with key stakeholders across the Department.
- Build relationships and trust with the public, local governments, and elected officials.

Strategic Actions

- Build an enhanced drinking water compliance and enforcement program by increasing staff capacity to perform complex analysis of system monitoring data, conduct onsite inspections and take appropriate enforcement actions.
- Strengthen the Utility Operator Certification Program's support for more than 3,000 certified drinking water and wastewater utility operators through implementation of updated regulations and examinations and targeted technical assistance.
- Support public water systems through full implementation of the Water Conservation Fund, including increasing revenue to the Fund and publishing annual list of contaminants eligible for sampling under the Fund.
- Implement the Produced Water Act by working with industry experts, universities and conservation advocates to fill science and technology gaps related to treatment of produced water, use of treated water and use of byproducts.
- Leverage input from stakeholder, tribal, and technical engagement to develop draft regulations for treatment of produced water, use of treated water outside the oil and gas industry, and use of byproducts.
- Develop and implement new data management system for the groundwater discharge permit program.
- Increase program revenue through legislative and rule updates and program oversight to become more enterprise.
- Implement updated enforcement policies for surface water, groundwater and drinking water regulatory programs.
- Prepare Superfund program for the transition of multiple projects from cleanup to remediation phase.
- Develop innovative approaches to address groundwater contamination associated with sites that lack a responsible party.
- Guide executive decisions about surface water permitting program implementation by completing a legal and policy analysis about adopting Clean Water Act permit program.
- Protect New Mexico's surface waters through transparent, science-based triennial review and update of water quality standards.
- Increase the number of New Mexico communities receiving loans and grants from infrastructure financing programs through ongoing outreach and innovative program updates that respond to community needs and feedback.
- Routine meetings and discussions with key partners on program developments, challenges and successes.
- Increase workforce for: permitting, compliance and enforcement under groundwater and drinking water programs; addressing PFAS and other emerging contaminants; implementing the Produced Water Act; processing new produced water permits; and compliance with grant agreements.

Water Protection Division (P568)

Performance Measures

**FY21
Requested
Target**

Percent of facilities operating under a groundwater discharge permit that are inspected each year

33%

Number of groundwater permit inspections where violations are identified

20

Total number of National Pollutant Discharge Elimination System compliance inspections conducted by NMED staff, including joint inspections with U.S. EPA.

24

Percent of Environmental Protection Agency Clean Water State Revolving Loan Fund capitalization grant and matching state funds committed to New Mexico borrowers for eligible projects in the State fiscal year received.

100%

Percent of population served by a community water system that meets all applicable health-based drinking water standards

Explanatory
Only



Left: Surface Water Quality Bureau supporting the La Jara Creek River Stewardship Program project to re-wet at least 65 acres of historic wetlands in the Valles Caldera National Preserve, June 2019

Right: Ground Water Quality Bureau staff provide free well water testing services around the State; Farmington Water Fair pictured, August 2019



Resource Protection Division (P569)

Purpose of the Program

To maximum extent possible, prevent new contamination and address legacy pollution in New Mexico for the protection of public health and the environment. Ensure hazardous waste is managed – from cradle to grave – and contaminated sites are cleaned up as quickly as possible to lessen the burden to communities, their health and our environment. Closely monitor the environment within and around U.S. Department of Defense (U.S. DOD) and U.S. Department of Energy (U.S. DOE) facilities in New Mexico, taking swift and meaningful compliance actions when warranted. Ensure petroleum storage tanks are managed to prevent releases and remediated when they occur. Ensure solid waste and recyclable materials are responsibly managed.

Program Users

A public that trusts and expects New Mexico's natural resources will not diminish their family's health, safety or economic prosperity regardless of whether the live, work, or play. This includes New Mexico's service men and women who are stationed at U.S. Air Force installations, employees and contractors at U.S. DOE national labs, and the residents who live in proximity to these installations. Regulated entities who rely on relationships with regulators to provide technical and consistent expertise. County and local governments/municipalities who rely on our expertise for emergency response and technical guidance. Tribes, pueblos and nations whose natural resources may be impacted by others. All others who ensure our accountability to mission, including: The Governor, the Legislature, the federal government and the public.

Benefits to New Mexicans

- People are not exposed to hazardous substances.
- Releases of hazardous substances are timely addressed to prevent exposure to people and the environment while holding accountable the responsible party.
- U.S. DOD and U.S. DOE facilities manage and clean up their waste.
- Environmental conditions within and around U.S. DOE (National Labs and Waste Isolation Pilot Plant) are monitored to inform surrounding communities.
- Ensure that nuclear activities and waste products do adversely impact communities even when outside of NMED regulatory jurisdiction.
- Industry across the state secures financial assurance and incentives to prevent or clean up petroleum spills/releases.
- Landfills do not leach toxic substances into the environment and cause harm to the public.
- Illegal dumping of trash is prevented or cleaned up.
- Trash is turned into treasure through reuse and recycling programs.

Budget and FTE

	FTE	Budget
Office of the Director	4.25	\$566,400
DOE Oversight Bureau	20.0	\$2,895,500
Hazardous Waste Bureau	44.0	\$4,817,900
Petroleum Storage Tank Bureau	59.0	\$5,840,100
Solid Waste Bureau	24.0	\$2,203,600



*Stephanie Strnger, Director
Resource Protection Division*



Resource Protection Division (P569)

Program Goals and Objectives

- Provide increased regulatory oversight and accountability over hazardous waste generators, permittees, petroleum storage tank operators, and solid waste facilities.
- Ensure new and legacy hazardous waste is managed in compliance with state and federal regulations.
- Ensure contaminated sites are cleaned up in a manner that is quick, safe and protective of human health and the environment.
- Ensure compliance and enforcement actions are handled in a consistent, fair, and timely manner.
- Increase public knowledge and awareness of environmental matters at U.S. DOE facilities and other regulated facilities through collaborative efforts
- Improve collaboration and communication with key stakeholders across the Department.
- Build relationships and trust with the public, local governments, and elected officials.

Strategic Actions

- Hold the U.S. Air Force accountable for contaminating the environment with per- and polyfluoroalkyl substances compounds (PFAS) at Cannon and Holloman Air Force Bases.
- Hold the U.S. Air Force accountable to an expedited remedy selection and clean-up of the bulk fuel release at Kirtland Air Force Base.
- Collaborate with affected communities to facilitate the best possible environmental solutions and outcomes when addressing new and legacy contamination.
- Implement environmental monitoring programs at high priority contamination or hazardous material storage sites, such as Los Alamos National Laboratory (LANL) or the Waste Isolation Pilot Plant (WIPP), and the surrounding areas, that align and support NMED's programs and strategic initiatives.
- Maximize use of the Corrective Action Fund for smaller, independent businesses for the remediation of petroleum release sites and, when possible, align with state economic development initiatives.

Resource Protection Division (P569)

Performance Measures	FY21 Requested Target
Percent of large quantity hazardous waste generators inspected that are not in compliance with applicable standards	20%
Percent of funds obligated for Corrective Action Fund	75%
Percent of underground storage tank facilities not in compliance with release prevention and release detection requirements	15%
Percent of permitted solid waste facilities and infectious waste generators found to not be in compliance with NM solid waste rules	5%
Percent of landfills not compliant with groundwater sampling and reporting requirements	Explanatory Only



Left: Petroleum Storage Tank Bureau expedites the remediation of a tank release site in Belen, May 2019.



Right: Solid Waste Bureau demonstrates proper landfill methane monitoring techniques, April 2019

Environmental Protection Division (P570)

Purpose of the Program

To protect New Mexico's inhabitants and our natural beauty through clean and clear air. To mitigate and prevent the impacts of climate change on our population, industries and infrastructure. To prevent workplace injuries and fatalities while diversifying and moving our economy forward. To prevent unnecessary risks to public health from enjoying commercially-prepared foods, hemp-derived products, public swimming pools and spas regardless of where you are in the State. For more rural areas, ensure that septic issues do not adversely impact public health, the environment or property values. When medical or veterinary services are needed, to protect families and pets from over-exposure radiation from x-ray equipment.

Program Users

A public that breathes air, requires a safe working environment, eats at restaurants, enjoys public pools and spas and receives radiologic exams; the regulated community, including hemp product manufacturers, oil and gas producers and food establishment owners; other state agencies and institutions; county and local governments; tribes and pueblos. All others who ensure our accountability to mission, including: The Governor, the Legislature, the federal government and the public.

Benefits to New Mexicans

- Clean air for children, elderly and other vulnerable populations.
- Clear air for tourism and recreational opportunities from improved visibility at national/state parks and wilderness areas.
- Leadership is provided in combating climate change by reducing greenhouse gas emissions and preparing for a warmer planet.
- Public health and safety at public swimming pools and spas is protected.
- Workers and the public are not exposed to unnecessary radiation during radiologic exams.
- Public health is maintained, and economic development opportunities are supported through responsible hemp processing.
- Ground water is protected from discharge from septic tanks and industrial sources.
- Food in restaurants and from New Mexico manufacturing facilities is safe to eat.
- Work environments and working conditions are safe and healthful.
- Exposure to indoor radon is lessened.
- Current and former federal nuclear workers that are ill because of exposure to radiation receive the assistance they need.

Budget and FTE

	FTE	Budget
Office of the Director	5.25	\$576,200
Air Quality Bureau	94.0	\$10,572,000
Environmental Health Bureau	109.5	\$9,623,500
Occupational Health & Safety Bureau	32.0	\$2,862,900
Radiation Control Bureau	19.0	\$2,171,700



*Sandra Ely, Director
Environmental Protection Division*

Statutory Authority and Activities - See appendix for a comprehensive listing.



Environmental Protection Division (P570)

Program Goals and Objectives

- Monitor and improve air quality and be proactive in areas where air quality is degrading by implementing emission control strategies and through timely, fair, and consistent enforcement.
- Ensure facilities that are non-compliant with air quality regulations or permit conditions take immediate and appropriate corrective action.
- Partner with other state agencies to implement the Governor's Executive Order 2019 -003 on addressing Climate Change and Energy Waste Prevention, reduce greenhouse gas emissions, and develop climate adaptation strategies.
- Prevent and abate public health hazards and surface and ground water contamination by regulating on-site treatment and disposal of liquid waste.
- Ensure compliance at public swimming pools, baths, and spas.
- Reduce exposure to indoor radon through public outreach and education.
- Protect employees, consumers, and the public from adverse health and safety conditions such as foodborne illness in public food establishments through inspection and enforcement.
- Provide free and confidential compliance assistance to businesses at their request by identifying workplace hazards; analyzing safety and health management systems.
- Develop recommendations for establishing or strengthening employee safety and health programs.
- Establish strategic partnerships with groups of employers and employees to encourage, assist, and recognize efforts to eliminate serious hazards and achieve a high degree of employee safety and health.
- Protect and promote physical and environmental health by preventing unnecessary radiation exposure through effective licensing, registration, inspection, special investigations, and enforcement.
Ensure employees, consumers, and the public are protected from adverse health and safety conditions through the inspection and enforcement of hemp manufacturing facilities.

Strategic Actions

- Implement Executive Order 2019-003 by working with the New Mexico Climate Change Task Force; developing rules to reduce methane emissions in the oil and gas industry; implementing low emission and zero emission vehicle standards; updating the greenhouse gas emissions inventory; and developing a market-based program for reducing greenhouse gas emissions.
- Develop regulations to control volatile organic compounds in areas that exceed 95% of the ozone National Ambient Air Quality Standard.
- Continue to develop a hemp regulatory program and seek adequate staffing levels to establish regulatory processes that ensure the protection of public health while supporting growth and sustainability of the industry.
- Develop occupational health and safety emphasis programs for emerging industries such as hemp manufacturing and expanding industries such as the oil and gas sector where employees may be exposed to serious health and safety hazards.
- Seek adequate staffing levels to keep up with the expanding oil and gas sector to ensure timely air permit issuance, and compliance with air quality permits, liquid waste regulations and occupational health and safety standards.

Environmental Protection Division (P570)

Performance Measures	FY21 Requested Target
Percent of priority item food-related violations issued during food establishment inspections that are corrected within timeframes specified and enforcement actions taken	100%
Percent of radiation producing equipment in violation when inspected and requiring compliance assistance	20%
Percent of ionizing radiation registrants and licensees that are not in compliance with applicable standards and require compliance assistance	20%
Percent of serious worker health and safety violations corrected within the timeframes designated on issued citations	95%
Percent of days with good or moderate air quality index rating	Explanatory Only



Left: Director Sandra Ely presents on the oil and natural gas methane strategy at the Counselor Chapter House to tribal stakeholders.

Right: Johnathan Gerhardt answers questions for at a legislative committee on hemp manufacturing regulations.





Appendix

Statutory Authority

- NMSA 1978, §§ 9-7A-1 to -15
 - NMSA 1978, §§ 10-15-1 to -4
 - NMSA 1978, §§ 13-1-1 to -199
 - NMSA 1978, §§ 14-2-1 to -12
 - NMSA 1978, §§ 14-4A-1 to -6
 - NMSA 1978, §§ 25-1-1 to -15
 - NMSA 1978, §§ 25-2-1 to -20
 - NMSA 1978, §§ 50-9-1 to -25
 - NMSA 1978, §§ 61-33-1 to -10
 - NMSA 1978, §§ 3-29-1 to -21
 - NMSA 1978, §§ 74-1-1 to -17
 - NMSA 1978, §§ 74-2-1 to -22
 - NMSA 1978, §§ 74-3-1 to -16
 - NMSA 1978, §§ 74-4-1 to 14
 - NMSA 1978, §§ 74-4G-1 to -12
 - NMSA 1978, §§ 74-6-1 to -17
 - NMSA 1978, §§ 74-6A-1 to -15
 - NMSA 1978, §§ 74-6B-1 to -14
 - NMSA 1978, §§ 74-9-1 to -43
 - NMSA 1978, §§ 74-13-1 to -20
 - NMSA 1978, §§ 70-13-1 to 7-13-5
 - NMSA 1978, §§ 76, Article 24
 - NMSA 1978, §§ 76-24-1 to -10
- Department of Environment Act
 - Open Meetings Act
 - Procurement Code
 - Inspection of Public Records Act
 - Small Business Regulatory Relief Act
 - Food Service Sanitation Act
 - Adulterated or Misbranded Food Act
 - Occupational Health and Safety Act
 - Utility Operators Act
 - Sanitary Projects Act
 - Environmental Improvement Act
 - Air Pollution Act
 - Radiation Control Act
 - Hazardous Waste Act
 - Voluntary Remediation Act
 - Water Quality Act
 - Wastewater Facility Construction Loans Act
 - Ground Water Protection Act
 - Solid Waste Act
 - Recycling and Illegal Dumping Act
 - Produced Water Act
 - Hemp Manufacturing Act
 - Emergency Hemp Rule



Appendix

Links to NMED and NMED Bureaus

[New Mexico Environment Department](#)
[Office of the Secretary \(P567\)](#)

Water Protection Division (P-568)

[Construction Programs Bureau](#)
[Drinking Water Bureau](#)
[Ground Water Quality Bureau](#)
[Surface Water Quality Bureau](#)

Resource Protection Division (P569)

[DOE Oversight Bureau](#)
[Hazardous Waste Bureau](#)
[Petroleum Storage Tank Bureau](#)
[Solid Waste Bureau](#)

Environmental Protection Division (P570)

[Air Quality Bureau](#)
[Environmental Health Bureau](#)
[Occupational Health & Safety Bureau](#)
[Radiation Control Bureau](#)