



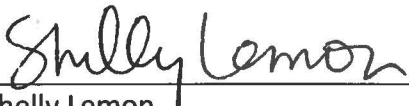
NEW MEXICO ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

Public Involvement Plan (PIP)
for the
State of New Mexico Clean Water Act
§303(d)/§305(b) Integrated Report and List


April 2018

APPROVAL PAGE



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Chief, Surface Water Quality Bureau

4-17-2018
Date



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4-17-2018
Date

I. Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (Department), Surface Water Quality Bureau (Bureau) developed this Public Involvement Plan (PIP) for the State of New Mexico Clean Water Act §303(d)/ §305(b) Integrated Report (IR).

The Bureau encourages the public to learn about and get involved in regulatory decision-making opportunities for the IR. The purpose of this PIP is to provide public participation opportunities and information that may be needed to participate in the IR.

This PIP integrates information about the community and identifies resources needed by the Bureau to successfully incorporate community participation activities into the decision-making process for the IR. The PIP identifies the Department staff and resources needed to accomplish these activities.

The IR may require public participation throughout different stages. The Bureau will meet the public participation requirements for the IR by following this PIP, which includes all applicable policy, regulatory and statutory public participation requirements.

In developing this PIP, state-wide community participation needs were assessed to ensure appropriate promotion of public outreach by identifying whether there is a combination of environmental and demographic factors (i.e., low income community, minority community, limited English proficiency individuals, Linguistically Isolated Households, etc.) that may impact public participation.¹ This assessment identifies community outreach needs and provides for public access opportunities above and beyond statutorily mandated requirements, and underscores the provision of adequate public access to information about the IR.

As much as possible, public participation and informational activities related to the IR will be held within the timelines outlined in the table below. This timeline is tentative and subject to change.

Although the federal requirement is a 30-day public review and comment period, a 45-day public review and comment period is allotted. The IR is in a state-wide document pertinent to a relatively large community of Spanish speakers, and the Bureau will provide pertinent information in both English and Spanish in public meeting notices, public comment notices, and other announcements (radio broadcasts, brochures, signs, postcards, fact sheets, etc.), as necessary. During public comment periods, hardcopies of relevant documents may be reviewed at the information repositories listed in “Public Participation and Outreach Activities” – Section V.H (p. 7) below.

More detailed information about planned Bureau outreach is available in this PIP.

¹ See IV. Location and Demographics – Demographic Summary below.

Activity	Dates
Notice PIP (invite public input)	April 2018
Public Notice for the 2018-2020 CWA §303(d)/§305(b) Integrated Report (IR)	April 2018
2018-2020 IR Public Review Period	45-day review April – May 2018
Public announcements (radio, brochures, signs, postcards, factsheets, etc.)	As needed
Request approval of draft 2018-2020 IR at WQCC Meeting	July 10, 2018 (tentative)

This PIP is a “living” document that may be amended after considering public comments and feedback. The Bureau Chief provides final approval of the PIP and amendments.

II. Contacts

Bureau contacts for questions regarding the State of New Mexico IR, the public review and approval process, the Bureau’s website, or this PIP, are listed below:

Lynette Guevara
Surface Water Quality Bureau
1190 St. Francis Dr.
Santa Fe, NM 87505

Phone: (505) 827-2904
Fax: (505) 827-0160
Email: lynette.guevara@state.nm.us

Cassie Salazar
Surface Water Quality Bureau
1190 St. Francis Dr.
Santa Fe, NM 87505

Phone: (505) 827-0187
Fax: (505) 827-0160
Email: cassandra.salazar@state.nm.us

A. Non-English Language Speaker Assistance and Accommodations

Non-English speakers may call the Bureau contact listed in this PIP and request language assistance services, such as an interpreter, so they can learn more about the State of New Mexico IR.

B. Department Websites

New Mexico Environment Department - <https://www.env.nm.gov/>
Surface Water Quality Bureau - <https://www.env.nm.gov/surface-water-quality/>

C. Integrated Report Website

The Bureau maintains a website location for the Integrated Report (see website address below). The website will be kept up to date and has information about the site and important documents. <https://www.env.nm.gov/surface-water-quality/2018-2020-303d-305b-integrated-report/>

III. Regulatory Framework

EPA regulations require states to describe in their Continuing Planning Processes (CPP) the procedures for involving the public and other stakeholders in the development of the Clean

Water Act (CWA) Section 303(d) list of impaired surface waters (40CFR 130.7(a)). The public participation requirements of specific water quality programs are specified in 40 CFR Section 25.4 and described in the Water Quality Management Plan and CPP (WQMP/ CPP)². At a minimum, the public participation process for New Mexico’s water quality programs consists of the following:

- Providing the public with the information and assistance necessary for meaningful involvement;
- Providing a central location of reports, studies, plans, and other documents;
- Maintaining a list of affected or interested parties and stakeholders; and
- Notifying stakeholders in a timely fashion prior to consideration of major decisions (generally at least 30 days).

To fulfill this requirement, the Bureau invites the public to comment on the draft 2018-2020 State of New Mexico CWA §303(d)/ §305(b) IR. CWA §303(d)(2) requires that each state submit to the EPA a listing of water quality limited segments requiring total maximum daily loads (TMDLs). CWA § 305(b)(1) requires that each state submit a biennial report to the United States Congress through the EPA. In accordance with the above stated statutory requirements, this report contains:

- an assessment of surface water quality in the state of New Mexico;
- an analysis of the extent to which the CWA §101(a)(2) goal of surface water quality which provides for protection and propagation of fish, shellfish, and wildlife and recreation in and on the water is being achieved (“fishable/swimmable” goals);
- an overview of progress in water pollution control and recommendations for further action; and
- a description of the nature of nonpoint source pollution and of programs for nonpoint source pollution control for prioritization of restoration activities.

The CWA §§303(d)/305(b) Integrated List of Assessed Surface Waters (Integrated List), included as Appendix A, contains an assessment of surface water data and information summary that identifies whether a particular surface water of the state is currently meeting its designated uses as detailed in the State of New Mexico Standards for Interstate and Intrastate Surface Waters (20.6.4 NMAC)³, through application of the Department’s Comprehensive Assessment and Listing Methodology (CALM).⁴ “Category 5” waters on the Integrated List specifically constitute the CWA Section 303(d) List of Impaired Waters, which are those surface waters that do not meet the uses designated in 20.6.4 NMAC.

IV. Location and Demographics

The IR is a statewide document, and thus contains surface water assessments for the entire state. The Bureau collects surface water quality data on a watershed basis via an approximate eight-year rotational schedule as resources allow. The primary focus area for the draft 2018-2020 IR is the

² The specific public outreach requirements for the IR are contained in Section XIV of the WQMP/ CPP (<https://www.env.nm.gov/surface-water-quality/protocols-and-planning/>)

³ <https://www.env.nm.gov/surface-water-quality/wqs/>

⁴ <https://www.env.nm.gov/surface-water-quality/calm/>

Canadian River and Dry Cimarron River basins because these basins were monitored in 2015-2016.

Demographic Summary

Using U.S. Census Quick Facts⁵ for the state of New Mexico for 2016, New Mexico has an estimated population of 2,081,015; 48.5 percent identify as Hispanic or Latino (which may be of mixed race) and 10.6 percent identify exclusively as American Indian. The percent of persons that communicate in a language other than English (non-English) at home is 35.4, compared to 20.7 percent for the United States. The per capita income for New Mexico is \$24,459 as compared to the national per capita income of \$31,128, with 19.8% of New Mexico's population living in poverty. These results indicate that for the state of New Mexico, the percentage of Spanish-speaking communication is considerable (i.e., substantially greater than the state or national percentage) and there are demographic factors (i.e., low income community, minority community, limited English proficiency individuals, Linguistically Isolated Households, etc.) that may impact public participation.

Therefore, the Bureau will provide information in Spanish and in English for public comment notices, public meeting notices, and other announcements (radio broadcasts, brochures, signs, postcards, etc.), and strive to make public participation efforts as inclusive as possible within Bureau budget and time limitations. For example, as much as possible, mass communication methods will be used in addition to private postal notices or personal email, as many residents in the New Mexico may not have regular access to the internet, private e-mail accounts or postal service, and may rely on publicly posted notices and radio broadcasts. Informational flyers may be posted at post offices, community centers and public libraries, at the Bureau's discretion after consideration of public interest and input. Community centers and public libraries may serve as access areas for the Bureau to leave hard copies of important documents and information about how to comment on the IR. Specific repository addresses that may be used depending on the need, are provided in this PIP on page 7.

V. Public Participation & Outreach Activities

The public may ask questions about the IR at any time. Interested community members do not need to wait for a formal public comment period to contact the Bureau. However, the Bureau emphasizes that to be included in the administrative record, comments solicited by public notices about the IR must be submitted during the noticed comment periods, and in accordance with the public notice.

Specific outreach activities related to the draft 2018-2020 IR include:

- Creating and maintaining a specific web page with attachments and links to all pertinent documents (see <https://www.env.nm.gov/surface-water-quality/2018-2020-303d-305b-integrated-report/> for an example of the approved 2016-2018 IR),
- Developing a public notice announcing the opening of the 45-day public comment period,
- Posting this notice to the SWQB website,

⁵ <https://www.census.gov/quickfacts/fact/table/NM/INC910216#viewtop>

- Emailing this public notice to SWQB’s extensive email list through the GovDelivery e-mail delivery service (1,570 email addresses as of January 2, 2018), and
- Sending this public notice to NMED’s public relations officer for a press release.

Copies of the draft 2018-2020 IR and any supporting documents may be obtained via download from the Bureau’s website at <https://www.env.nm.gov/surface-water-quality/2018-2020-303d-305b-integrated-report/>, or by contacting Cassie Salazar at (505) 827-0187, cassie.salazar@state.nm.us, NMED SWQB, P.O. Box 5469, Santa Fe, New Mexico, 87502.

This is the most direct way to learn more about and be involved in the decision-making process for the State of New Mexico IR. Additionally, the public may request to review documents at the Bureau or one of the information repositories listed below.

Based on the demographics report discussed in the PIP, basic information about public involvement opportunities will be in both English and Spanish. This information will include how to request materials in Spanish or to speak with Bureau staff through an interpreter. Further details about public participation for this activity are outlined below.

A. Postal Mailing or E-Mailing of Notices to Persons on the Surface Water Quality Bureau’s Email List

The Bureau maintains an extensive email list (1,570 email addresses as of January 2, 2018) that includes individuals interested in surface water quality issues and activities. This list is a combination of all previously interested persons who requested the Bureau provide them with information about surface water quality in New Mexico. The Bureau regularly maintains contact information which is updated or supplemented, if additional information is found. Interested persons providing both an address and email may receive physical mail and an email. Additional individuals, organizations, and other interested parties are added to the email list as requested.

B. Email Updates

The Bureau’s email list is regularly updated and is available on the Bureau’s website at: <https://www.env.nm.gov/surface-water-quality/> by clicking on the “Subscribe to SWQB News” button on the bottom of the home page. The Bureau’s website liaison is Heidi Henderson at 505-827-2901 (or email heidi.henderson@state.nm.us).

C. Public Meeting Notices, Public Comment Notices, and Other Notices

Based on the Bureau’s evaluation of the community, public notices will be translated into Spanish. In addition, the Bureau may post notices on the Department’s Events Calendar at: <https://www.env.nm.gov/events/>

D. Informational Pamphlets

The Bureau may develop informational pamphlets for IR that briefly explain what is happening relative to IR, the appropriate Bureau contacts, and next steps in the IR process. To the extent such informational pamphlets are produced, the Bureau may determine whether they will be

available in languages other than English, online (e.g., Bureau website) and in print (hardcopy) at the information repositories listed in this PIP. They may also be distributed via email to interested organizations and individuals, including those who sign up for email notices through the website.

E. Public Comment Period

The 45-day public comment period on the draft 2018-2020 IR is planned to start April 16, 2018, and end May 31, 2018, at 5:00 p.m.

F. Other Outreach

Other means of outreach such as flyers announcing public comment periods 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.

G. Information Repositories

Copies of the draft 2018-2020 IR and any of the above-mentioned supporting documents may be obtained via download from the Bureau's website at <https://www.env.nm.gov/surface-water-quality/2018-2020-303d-305b-integrated-report/> or by contacting Cassie Salazar at (505) 827-0187, cassie.salazar@state.nm.us, NMED SWQB, P.O. Box 5469, Santa Fe, New Mexico, 87502.

Post offices, community centers and public libraries, at the Bureau's discretion after consideration of public interest and input, may serve as access areas for the Bureau to leave hard copies of important documents and information about how to comment on the IR. The following is a list of locations where hard copies of relevant documents will be available to the community:

None identified at this time.

H. IR Proceedings, Outcomes and Responses to Comments

To address stakeholder and community members submitted comments, the Bureau will prepare the final draft IR as amended, which includes a "Response to Comments" section as Appendix C, following the close of the public comment period. The Bureau is required to present the final draft IR to the New Mexico Water Quality Control Commission (WQCC) for review and approval per requirements in the WQMP/PPP. The final draft IR and all appendices will be available to the public via download from the Bureau website, or upon request, 10 days prior to the scheduled WQCC meeting (tentatively set for July 10, 2018, depending on the extent of public comment). WQCC meetings are open to the public. Their exact schedule and proposed agendas are maintained on the WQCC website⁶. The Bureau will also send a copy of responses to comments directly to the commenter, at least 10 days prior to the WQCC meeting. The State of New Mexico IR, as approved by the WQCC, will then be submitted to the U.S. Environmental Protection Agency Region 6 for review and approval.

⁶ <https://www.env.nm.gov/water-quality-control-commission/wqcc/>





QuickFacts New Mexico

QuickFacts provides statistics for all states and counties, and for cities and towns with a **population of 5,000 or more**.


Table


ALL TOPICS	New Mexico
Per capita income in past 12 months (in 2016 dollars), 2012-2016	\$24,459
PEOPLE	
Population	
Population estimates, July 1, 2017, (V2017)	2,088,070
Population estimates, July 1, 2016, (V2016)	2,081,015
Population estimates base, April 1, 2010, (V2017)	2,059,207
Population estimates base, April 1, 2010, (V2016)	2,059,198
Population, percent change - April 1, 2010 (estimates base) to July 1, 2017, (V2017)	1.4%
Population, percent change - April 1, 2010 (estimates base) to July 1, 2016, (V2016)	1.1%
Population, Census, April 1, 2010	2,059,179
Age and Sex	
Persons under 5 years, percent, July 1, 2016, (V2016)	6.2%
Persons under 5 years, percent, April 1, 2010	7.0%
Persons under 18 years, percent, July 1, 2016, (V2016)	23.6%
Persons under 18 years, percent, April 1, 2010	25.2%
Persons 65 years and over, percent, July 1, 2016, (V2016)	16.5%
Persons 65 years and over, percent, April 1, 2010	13.2%
Female persons, percent, July 1, 2016, (V2016)	50.5%
Female persons, percent, April 1, 2010	50.6%
Race and Hispanic Origin	
White alone, percent, July 1, 2016, (V2016) (a)	82.6%
Black or African American alone, percent, July 1, 2016, (V2016) (a)	2.5%
American Indian and Alaska Native alone, percent, July 1, 2016, (V2016) (a)	10.6%
Asian alone, percent, July 1, 2016, (V2016) (a)	1.7%
Native Hawaiian and Other Pacific Islander alone, percent, July 1, 2016, (V2016) (a)	0.2%
Two or More Races, percent, July 1, 2016, (V2016)	2.5%
Hispanic or Latino, percent, July 1, 2016, (V2016) (b)	48.5%
White alone, not Hispanic or Latino, percent, July 1, 2016, (V2016)	38.1%
Population Characteristics	
Veterans, 2012-2016	157,413
Foreign born persons, percent, 2012-2016	9.7%
Housing	
Housing units, July 1, 2016, (V2016)	917,568
Housing units, April 1, 2010	901,388
Owner-occupied housing unit rate, 2012-2016	67.8%
Median value of owner-occupied housing units, 2012-2016	\$161,600
Median selected monthly owner costs -with a mortgage, 2012-2016	\$1,225
Median selected monthly owner costs -without a mortgage, 2012-2016	\$333
Median gross rent, 2012-2016	\$792
Building permits, 2016	4,863 ¹
Families & Living Arrangements	
Households, 2012-2016	762,551
Persons per household, 2012-2016	2.67
Living in same house 1 year ago, percent of persons age 1 year+, 2012-2016	85.9%
Language other than English spoken at home, percent of persons age 5 years+, 2012-2016	35.4%
Education	
High school graduate or higher, percent of persons age 25 years+, 2012-2016	84.6%
Bachelor's degree or higher, percent of persons age 25 years+, 2012-2016	26.7%
Health	
With a disability, under age 65 years, percent, 2012-2016	10.3%
Persons without health insurance, under age 65 years, percent	12.8%

Economy	
In civilian labor force, total, percent of population age 16 years+, 2012-2016	58.5%
In civilian labor force, female, percent of population age 16 years+, 2012-2016	54.4%
Total accommodation and food services sales, 2012 (\$1,000) (c)	4,349,672
Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	11,236,630
Total manufacturers shipments, 2012 (\$1,000) (c)	29,102,352
Total merchant wholesaler sales, 2012 (\$1,000) (c)	10,720,363
Total retail sales, 2012 (\$1,000) (c)	25,179,274
Total retail sales per capita, 2012 (c)	\$12,073
Transportation	
Mean travel time to work (minutes), workers age 16 years+, 2012-2016	21.7
Income & Poverty	
Median household income (in 2016 dollars), 2012-2016	\$45,674
Per capita income in past 12 months (in 2016 dollars), 2012-2016	\$24,459
Persons in poverty, percent	▲ 19.8%
 BUSINESSES	
Businesses	
Total employer establishments, 2015	43,793 ¹
Total employment, 2015	626,284 ¹
Total annual payroll, 2015 (\$1,000)	25,145,307 ¹
Total employment, percent change, 2014-2015	3.9% ¹
Total nonemployer establishments, 2015	121,279
All firms, 2012	151,363
Men-owned firms, 2012	71,132
Women-owned firms, 2012	59,044
Minority-owned firms, 2012	60,622
Nonminority-owned firms, 2012	83,857
Veteran-owned firms, 2012	14,096
Nonveteran-owned firms, 2012	128,693
 GEOGRAPHY	
Geography	
Population per square mile, 2010	17.0
Land area in square miles, 2010	121,298.15
FIPS Code	35

Value Notes

1. Includes data not distributed by county.

 This geographic level of poverty and health estimates is not comparable to other geographic levels of these estimates

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info  icon left of each row in TABLE view to learn about sampling error.

The vintage year (e.g., V2017) refers to the final year of the series (2010 thru 2017). *Different vintage years of estimates are not comparable.*

Fact Notes

- (a) Includes persons reporting only one race
- (b) Hispanics may be of any race, so also are included in applicable race categories
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

Value Flags

- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or upper interval of an open ended distribution.
- D** Suppressed to avoid disclosure of confidential information
- F** Fewer than 25 firms
- FN** Footnote on this item in place of data
- NA** Not available
- S** Suppressed; does not meet publication standards
- X** Not applicable
- Z** Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Incomplete Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.