Public Involvement Plan for the Clean Water State Revolving Fund State Fiscal Year 2022 Draft Intended Use Plan and Project Priority List Public Comment Period June 2021

Approval Page

Judith L. Kahl, P.E. Chief, Construction Programs Bureau Date

Rhonda Holderman

Date

Financial Manager Loans and Grants, Construction Programs Bureau

Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (Department) Construction Programs (CPB) developed this Public Involvement Plan (PIP) for the public comment period of the Clean Water State Revolving Fund (CWSRF) Intended Use Plan (IUP) and Project Priority List (PPL) for State Fiscal Year 2022 (FY22).

The purpose of this PIP is to plan for providing public participation opportunities and information that may be needed to participate in the public comment period related to this document.

This PIP integrates information about the public comment period and identifies resources needed by the CPB to incorporate participation activities into the decision-making process for the public comment period for the CWSRF FY22 IUP and PPL. The PIP identifies the Department staff and resources needed to accomplish these activities.

CPB will meet the public participation requirements for the public comment period by following this PIP, which includes the applicable policy, regulatory, and statutory public participation requirements.

In developing this PIP, participation needs for the public comment period were assessed to ensure appropriate promotion of public outreach by identifying whether there is a combination of environmental and demographic factors that may impact public participation. This assessment identifies outreach opportunities for participation and provides for those opportunities.

As much as possible, public participation and informational activities related to the public comment period will be held within the timelines outlined in the table below. This timeline is tentative and subject to change and activities subject to statutory or regulatory deadlines are noted.

On the first date of the timeline for this formal public review and comment period there will be a legal notice in the Albuquerque Journal and the Santa Fe New Mexican. Additionally, CPB will provide pertinent information in both English and Spanish in email notices, on the Department and CPB websites, and in posts to social media. During the public comment period, documents may be reviewed through any of the announcement venues with links to the website.

Details about planned CPB outreach are provided in this PIP.

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

Activity	Dates
Notice PIP (invite public input)	June 6, 2021-June 18, 2021
Notices published for public review of the	June 6, 2021-June 18, 2021
CWSRF Intended Use Plan and Project Priority	
List for FY22 in The Albuquerque Journal, the	
Santa Fe New Mexican, email lists, the	
department and CPB websites, and on social	
media	
CPB activity and/or public review period	June 19-July 1, 2021
If no adverse public comments are received, the	July 1, 2021
Intended Use Plan and Project Priority List will	
be finalized on the CPB website	
If adverse public comments are received the	August 5, 2021
Intended Use Plan and Project Priority List will	
be finalized on the CPB website	

Contact

The CPB contact for this Intended Use Plan public comment period is:

Rhonda Holderman, Financial Manager Construction Programs Bureau 1190 St. Francis Drive Santa Fe, NM 87505 Phone: (505) 469-3365

Email: rhonda.holderman@state.nm.us

A. Non-English Language Speaker Assistance and Accommodations

Non-English speakers may call Saroj Baxter at (505) 470-5287 to request language assistance services, such as an interpreter.

B. Department Websites

New Mexico Environment Department - https://www.env.nm.gov/

Construction Programs CPB - https://www.env.nm.gov/construction-programs/

C. Location of Intended Use Plan and Project Priority List for Review

Clean Water State Revolving Fund - https://www.env.nm.gov/construction-programs/clean-water-state-revolving-fund-cwsrf/

Regulatory Background for Public Participation

Through enactment of the Wastewater Facility Construction Loan Act (Loan Act), Chapter 74, Article 6A, NMSA 1978, as amended, the New Mexico Legislature created a revolving loan fund (Fund). The purpose of the Loan Act "is to provide state agencies, local authorities, interstate agencies and other qualified borrowers in New Mexico with low-cost financial assistance in the construction of necessary wastewater facilities and other eligible projects through the creation of a self-sustaining program to improve and protect water quality and public health" §74-6A-2 NMSA (1978).

The Fund is administered by the New Mexico Environment Department (NMED) as an agent for the Water Quality Control Commission. State money is appropriated to NMED to carry out the provisions of the Loan Act and is used to match Federal funds allocated to New Mexico pursuant to the Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), as amended.

Federal capitalization grants, loan principal and interest repayments as well as interest earnings on the Fund balance are deposited into the Fund. Administrative fee and refinance fee revenues are deposited into a separate dedicated Clean Water Administrative Fund.

The WQCC approved lowering the interest rate for publicly owned systems to between 0% and 1% in 2020. The rule change went into effect at the end of October 2020.

The Water Quality Control Commission (WQCC), New Mexico's water pollution control agency, has adopted regulations, application procedures, and a projects priority ranking system pursuant to the Loan Act, used by NMED to administer the loan program. The New Mexico Water Quality Act, §74-6-4 NMSA (1978) identifies the duties and powers of the WQCC. The provision states, "The Commission: May accept and supervise the administration of loans and grants from the federal government and from other sources, public or private, which loans and grants shall not be expended for other than the purposes for which provided."

Pursuant to the Loan Act, the WQCC adopted regulations concerning eligibility requirements for financial assistance, application procedures, priority ranking system and administration of the loan program and Fund. The current priority ranking system was approved by the WQCC on September 8, 2020. The CWSRF and NMED staff evaluate and rank eligible projects. All proposed §319 projects must implement the state's §319 Nonpoint Source Management Plan. The state reviews this plan when determining eligibility of project applications.

Public notice of the Project Priority List process is provided through publication in independent newspapers statewide and the NMED website. A project must be on the current New Mexico state fiscal year Project Priority List to be eligible for funding. It is the policy of NMED to make loans in order of priority on the current fiscal year priority list to the extent reasonable considering the following:

- 1. willingness to accept a loan;
- 2. financial capability of the applicant to service the loan;
- 3. the ability of the applicant to operate and maintain the proposed project; and
- 4. readiness to proceed.

Applicants that do not meet the above criteria and all the funding conditions may be by-passed.

Location and Demographics

The CWSRF Intended Use Plan is a statewide document, and thus contains the proposed projects and program goals for the entire state.

Demographic Summary

Using U.S. Census Quick Facts for the state of New Mexico for 2019, New Mexico has an estimated population of 2,096,829; 49% identify as Hispanic or Latino (that may be of mixed race) and 11% identify exclusively as American Indian. The percentage of persons that communicate in a language other than English at home is 34%, compared to 22% for the United States. Of these individuals, approximately 26% speak English less than "very well" representing 9% of the total population within New Mexico. Almost 80% of these LEP individuals speak Spanish.

The per capita income for New Mexico is \$27,230 as compared to the national per capita income of \$34,103, with eighteen percent 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, et c.) that may impact public participation.

Therefore, CPB will provide information in Spanish and in English for public comment notices, both on the CPB website and in newspapers.

Public Participation & Outreach Activities

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

Specific outreach activities related to the draft 2022 CWSRF IUP and PPL include:

- Creating and maintaining specific web links to all pertinent documents (see https://www.env.nm.gov/construction-programs/clean-water-state-revolving-fund-cwsrf/)
- Developing a public notice announcing the opening of the 14-day public comment period,
- Posting this notice to the department and CPB website,
- Emailing this public notice to CPB's extensive email list through the GovDelivery e-mail delivery service (over 5000 email addresses as of May 2021),
- Printing the public notice in newspapers.

Copies of the draft 2022 CWSRF IUP and PPL and any supporting documents may be obtained via download from the CPB's website at https://www.env.nm.gov/construction-programs/clean-water-state-revolving-fund-cwsrf/, by contacting Rhonda Holderman at (505) 469-3365, by emailing, NMENV-cpbinfo@state.nm.us, or by writing NMED CPB, P.O. Box 5469, Santa Fe, New Mexico, 87502. Based on the demographics report discussed in the PIP, basic information in the public notice will be in both English and Spanish.

A. Postal Mailing or E-Mailing of Notices to Persons on the Construction Programs CPB's Email List

The CPB maintains an extensive email list (over 5000 email addresses as of May 2021) that includes individuals interested in funding information. This list is a combination of all previously interested persons who requested the CPB provide them with information about potential funding for eligible water, wastewater, and storm water projects, as well as underground storage tank remediation and solid waste in New Mexico. The CPB regularly maintains contact information that is updated or supplemented, if additional information is found. Interested persons providing both an address and email may receive an email. Additional individuals, organizations, and other interested parties are added to the email list as requested.

B. Email Updates

The CPB's email list and website are regularly updated as new information is submitted. The CPB's website liaison is Saroj Baxter at 505-470-5287 or saroj.baxter@state.nm.us.

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

Based on CPB's evaluation of the potential commenters public notices will be translated into Spanish. In addition, CPB may post notices on the Department's Events Calendar at: https://www.env.nm.gov/events-calendar/

D. Informational Pamphlets

CPB has developed informational pamphlets for the CWSRF loan program that briefly explain the program, entities eligible for funding, interest rates and contact persons. CPB may determine whether the pamphlets will be available in languages other than English, online (e.g., CPB website) and in print (hardcopy) at the information repositories listed in this PIP. Pamphlets 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 public comment period on the draft 2022 CWSRF IUP and PPL will start on June 6, 2021 and run through June 18, 2021.

F. Other Outreach

Other means of outreach such as flyers announcing public comment periods may be posted in locations throughout the state (e.g., local businesses, schools, libraries) and on the Department's website, at the CPB's discretion after consideration of public interest and input.

G. Information Repositories

The draft 2022 CWSRF IUP and PPL and supporting documents are available for review on CPB's website, https://www.env.nm.gov/construction-programs/clean-water-state-revolving-fund-cwsrf/, by contacting Rhonda Holderman at (505) 469-3365, Rhonda.holderman@state.nm.us, or by emailing NMENV-cpbinfo@state.nm.us or writing NMED CPB, P.O. Box 5469, Santa Fe, New Mexico, 87502.

The following is a list of locations where hard copies of relevant documents will be available for review at:

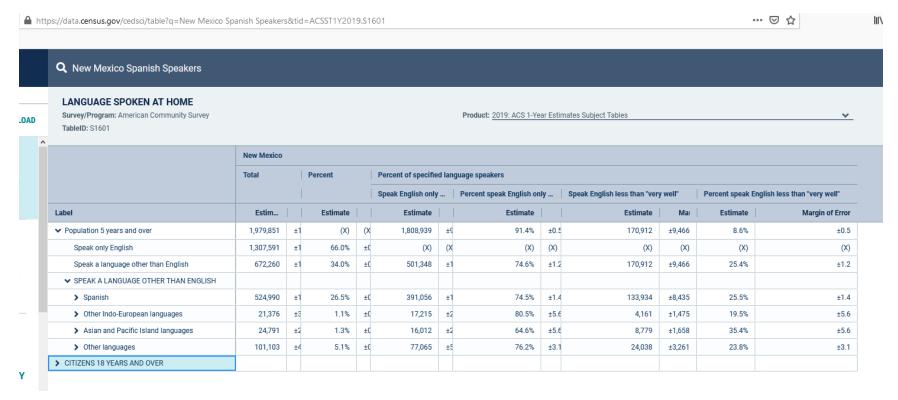
None identified at this time.

H. IUP and PPL Final Submission and Approval including Responses to Comments

CPB will amend the draft IUP and PPL and include a response to any comments received following the close of the public comment period. CPB is required to submit the final draft IUP and PPL to EPA Region VI for review and approval. The final draft IUP and PPL and all appendices will be available to the public from the CPB website, or upon request. CPB will also send a copy of responses to comments directly to the commenter.

Census Data 2019 ACS 1-Year Estimates

https://data.census.gov/cedsci/table?q=New%20Mexico%20Spanish%20Speakers&tid=ACSST1Y2019.S1601



QuickFacts

U.S. Census Bureau QuickFacts: New Mexico

New Mexico

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

Table

	New Mexico
Population estimates, July 1, 2019, (V2019)	2,096,829
▲ PEOPLE	
Population	
Population estimates, July 1, 2019, (V2019)	2,096,829
Population estimates base, April 1, 2010, (V2019)	2,059,199
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	1.8%
Population, Census, April 1, 2010	2,059,179
Age and Sex	
Persons under 5 years, percent	▲ 5.8%
Persons under 18 years, percent	a 22.7%
Persons 65 years and over, percent	å 18.0%
Female persons, percent	▲ 50.5%
Race and Hispanic Origin	
White alone, percent	▲ 81.9%
Black or African American alone, percent (a)	▲ 2.6%
American Indian and Alaska Native alone, percent (a)	1 1.0%
Asian alone, percent (a)	1.8%
Native Hawaiian and Other Pacific Islander alone, percent (a)	▲ 0.2%
Two or More Races, percent	å 2.6%
Hispanic or Latino, percent (b)	4 9.3%
White alone, not Hispanic or Latino, percent	▲ 36.8%
Population Characteristics	
Veterans, 2015-2019	144,977
Foreign born persons, percent, 2015-2019	9.4%
Housing	
Housing units, July 1, 2019, (V2019)	948,473
Owner-occupied housing unit rate, 2015-2019	67.7%
Median value of owner-occupied housing units, 2015-2019	\$171,400
Median selected monthly owner costs -with a mortgage, 2015-2019	\$1,280
Median selected monthly owner costs -without a mortgage, 2015-2019	\$356
Median gross rent, 2015-2019	\$844
Building permits, 2019	5,020 ¹
Families & Living Arrangements	
Households, 2015-2019	780,249
Persons per household, 2015-2019	2.63
Living in same house 1 year ago, percent of persons age 1 year+, 2015-2019	86.7%
Language other than English spoken at home, percent of persons age 5 years+, 2015-2019	34.0%
Computer and Internet Use	
Households with a computer, percent, 2015-2019	85.9%
Households with a broadband Internet subscription, percent, 2015-2019	74.6%
Education	
High school graduate or higher, percent of persons age 25 years+, 2015-2019	85.6%
Bachelor's degree or higher, percent of persons age 25 years+, 2015-2019	27.3%
Health	
With a disability, under age 65 years, percent, 2015-2019	10.5%
Persons without health insurance, under age 65 years, percent	1 2.0%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2015-2019	57.3%
In civilian labor force, female, percent of population age 16 years+, 2015-2019	53.6%
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	

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U.S. Census Bureau QuickFacts: New Mexico

FIPS Code

	1			
Income & Poverty				
Median household income (in 2019 dollars), 2015-2019	\$49,754			
Per capita income in past 12 months (in 2019 dollars), 2015-2019	\$27,230			
Persons in poverty, percent	▲ 18.2%			
BUSINESSES				
Businesses				
Total employer establishments, 2019	43,804			
Total employment, 2019	644,537			
Total annual payroll, 2019 (\$1,000)	28,177,071			
Total employment, percent change, 2018-2019	2.1%			
Total nonemployer establishments, 2018	125,925			
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			

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About datasets used in this table

Value Notes

- 1. Includes data not distributed by county.
- Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

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 to the left of each row in TABLE view to learn about sampling error.

The vintage year (e.g., V2019) refers to the final year of the series (2010 thru 2019). Different vintage years of estimates are not comparable.

Fact Notes

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

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.
- Fewer than 25 firms
- Suppressed to avoid disclosure of confidential information
 Data for this geographic area cannot be displayed because the number of sample cases is too small.
 Footnote on this item in place of data

- suppressed; does not meet publication standards
 NA Not available
 Z Value greater thes ---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 Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

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QuickFacts

United States

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

Table

All Topics		United States
Population estimates, July 1, 2019, (V	2019)	328,239,523
PEOPLE		
Population		
Population estimates, July 1, 2019, (V	/2019)	328,239,523
Population estimates base, April 1, 2010		308,758,105
	10 (estimates base) to July 1, 2019, (V2019)	6.3%
Population, Census, April 1, 2010	, , , , , , , , , , , , , , , , , , , ,	308,745,538
Age and Sex		
Persons under 5 years, percent		▲ 6.0%
Persons under 18 years, percent		▲ 22.3%
Persons 65 years and over, percent		å 16.5%
Female persons, percent		▲ 50.8%
Race and Hispanic Origin		
White alone, percent		A 76.3%
Black or African American alone, percer	nt (a)	▲ 13.4%
American Indian and Alaska Native alon		▲ 1.3%
Asian alone, percent (a)		▲ 5.9%
Native Hawaiian and Other Pacific Islan	der alone, percent (a)	▲ 0.2%
Two or More Races, percent		▲ 2.8%
Hispanic or Latino, percent (b)		▲ 18.5%
White alone, not Hispanic or Latino, per	cent	▲ 60.1%
Population Characteristics		
Veterans, 2015-2019		18,230,322
Foreign born persons, percent, 2015-20	19	13.6%
Housing		
Housing units, July 1, 2019, (V2019)		139,684,244
Owner-occupied housing unit rate, 2015	5-2019	64.0%
Median value of owner-occupied housin	g units, 2015-2019	\$217,500
Median selected monthly owner costs -	with a mortgage, 2015-2019	\$1,595
Median selected monthly owner costs -	without a mortgage, 2015-2019	\$500
Median gross rent, 2015-2019		\$1,062
Building permits, 2019		1,386,048
Families & Living Arrangements		
Households, 2015-2019		120,756,048
Persons per household, 2015-2019		2.62
Living in same house 1 year ago, percent	nt of persons age 1 year+, 2015-2019	85.8%
Language other than English spoken at	home, percent of persons age 5 years+, 2015-2019	21.6%
Computer and Internet Use		
Households with a computer, percent, 2	015-2019	90.3%
Households with a broadband Internet s	subscription, percent, 2015-2019	82.7%
Education		
High school graduate or higher, percent	of persons age 25 years+, 2015-2019	88.0%
Bachelor's degree or higher, percent of	persons age 25 years+, 2015-2019	32.1%
Health		
With a disability, under age 65 years, pe	ercent, 2015-2019	8.6%
Persons without health insurance, unde	r age 65 years, percent	▲ 9.5%
Economy		
In civilian labor force, total, percent of per	opulation age 16 years+, 2015-2019	63.0%
In civilian labor force, female, percent of	f population age 16 years+, 2015-2019	58.3%
Total accommodation and food services	sales, 2012 (\$1,000) (c)	708,138,598
Total health care and social assistance	receipts/revenue, 2012 (\$1,000) (c)	2,040,441,203
	1,000) (c)	5,696,729,632
Total manufacturers shipments, 2012 (\$	(\$1,000) (6)	5,208,023,478
Total manufacturers shipments, 2012 (\$ Total merchant wholesaler sales, 2012 ((\$1,000) (C)	
	\$1,000) (c)	4,219,821,871
Total merchant wholesaler sales, 2012 ((b)	4,219,821,871 \$13,443
Total merchant wholesaler sales, 2012 (Total retail sales, 2012 (\$1,000) (c)	(b)	

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U.S. Census Bureau QuickFacts: United States

FIPS Code

Income & Poverty				
Median household income (in 2019 dollars), 2015-2019	\$62,843			
Per capita income in past 12 months (in 2019 dollars), 2015-2019	\$34,103			
Persons in poverty, percent	1 0.5%			
BUSINESSES				
Businesses				
Total employer establishments, 2019	7,959,103			
Total employment, 2019	132,989,428			
Total annual payroll, 2019 (\$1,000)	7,428,553,593			
Total employment, percent change, 2018-2019	1.6%			
Total nonemployer establishments, 2018	26,485,532			
All firms, 2012	27,626,360			
Men-owned firms, 2012	14,844,597			
Women-owned firms, 2012	9,878,397			
Minority-owned firms, 2012	7,952,386			
Nonminority-owned firms, 2012	18,987,918			
Veteran-owned firms, 2012	2,521,682			
Nonveteran-owned firms, 2012	24,070,685			
⊕ GEOGRAPHY				
Geography				
Population per square mile, 2010	87.4			
Land area in square miles, 2010	3,531,905.43			

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About datasets used in this table

Value Notes

▲ Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

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 to the left of each row in TABLE view to learn about sampling error.

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Fact Notes

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

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.
- Suppressed to avoid disclosure of confidential information
- Data for this geographic area cannot be displayed because the number of sample cases is too small. Footnote on this item in place of data
- Not applicable
- Suppressed; does not meet publication standards
- NA Not available

 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 Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

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