



NEW MEXICO ENVIRONMENT DEPARTMENT

Construction Programs Bureau

Public Involvement Plan (PIP)
for the
State of New Mexico Clean Water State
Revolving Loan Fund Intended Use Plan and
Project Priority List

June 2019

APPROVAL PAGE

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Date

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Date

Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (Department), Construction Programs Bureau (CPB) developed this Public Involvement Plan (PIP) for the State of New Mexico Clean Water Revolving Loan Fund (CWSRF) Intended Use Plan (IUP) and Project Priority List (PPL) public comment process. The purpose of this PIP is to provide public participation opportunities and information that may be needed to participate in the public comment period.

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

The IUP requires public notification of the availability of the plan for public comment. The Bureau will meet the public participation requirements for the IUP 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 IUP.

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

The Intended Use Plan and Project Priority List comment period is open for fourteen (14) days. The IUP is 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 comment notices, and other announcements. During public comment periods, hardcopies of relevant documents may be reviewed at the information repositories listed in "Public Participation and Outreach Activities" - Section V below.

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

Activity	Dates
Post PIP on CPB website	May 2019
Public Notice for the 2019 CWSRF Intended Use Plan and Project Priority	May 18-June 2, 2019

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

Activity	Dates
List - website and newspapers	
2019 IUP and PPL Public Comment Period	14 Days, May 18-June 2, 2019
IUP and PPL become official if no adverse public comment is received	June 15, 2019 (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.

I. Contacts

Bureau contacts for questions regarding the State of New Mexico Intended Use Plan, the public review and comment process, the Bureau's website, or this PIP, are listed below:

Gail Craven, Loan Manager
Construction Programs Bureau
1190 St. Francis Dr.
Santa Fe, NM 87505
Phone: (505) 827-9691
Fax: (505) 476-8656
Email: gail.craven@state.nm.us

Rhonda Holderman,
Financial Manager
Construction Programs
Bureau1190 St. Francis Dr.
Santa Fe, NM 87505
Phone: (505) 827-0416
Fax: (505) 476-8656
Email: rhonda.holderman@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

IUP.

B. Department Websites

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

Construction Programs Bureau - <https://www.env.nm.gov/construction-programs/>

Intended Use Plan and Project Priority List Website

The Bureau maintains a website location for the Intended Use Plan and Project Priority List (see website address below). The website will be kept up to date and has information about the CWSRF program and important documents.

<https://www.env.nm.gov/construction-programs/cpb-forms-and-documents/#CWSRF-Reports>

III. Regulatory Framework

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 local authorities in New Mexico with low-cost financial assistance in the construction of necessary wastewater facilities 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 Water Quality Control Commission (WQCC), which is New Mexico's water pollution control agency, has adopted regulations, application procedures, and a projects priority ranking system pursuant to the Loan Act, which is used by NMED in administering the loan program. The New Mexico Water Quality Act of 1967 §74-6-4 NMSA (1978) identified the duties and powers of the WQCC. The provision states:

"The Commission:

- A. 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 EPA and adopted by the WQCC on January 24, 2014. The CWSRF and NMED staff evaluate and rank eligible projects. All §319 activities implement the state's §319 Nonpoint Source Management Plan. The state will review this plan when determining eligibility.

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 community to service the loan;
3. the ability of the community to operate and maintain the proposed project; and
4. readiness to proceed.

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

IV. Location and Demographics

The IUP and PPL are 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 2016, New Mexico has an estimated population of 2,082,669; 48 percent identify as Hispanic or Latino (which may be of mixed race) and 9 percent identify exclusively as American Indian. The percent of persons that communicate in a language other than English (non-English) at home is 35, compared to 21.3 percent for the United States. Of these individuals, approximately 26% speak English less than "very well" representing 9% of the total population within New Mexico. Approximately 84% of these LEP individuals speak Spanish.

The per capita income for New Mexico is \$24,459 as compared to the national per capita income of \$57,652, with 20.6% 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, both on the Bureau website and in several newspapers of general circulation around the State.

V. Public Participation & Outreach Activities

The public may ask questions about the IUP 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 official record, comments solicited by public notices about the IUP must be submitted during the noticed comment periods, and in accordance with the public notice.

Specific outreach activities related to the draft 2020 CWSRF IUP and PPL include:

Creating and maintaining a specific web page with attachments and links to all pertinent documents (see <https://www.env.nm.gov/construction-programs/cpb-forms-and-documents/#CWSRF-Reports>)

- Developing a public notice announcing the opening of the 14-day public comment period,
- Posting this notice to the CPB website,
- Emailing this public notice to CPB's extensive email list through the GovDelivery e-mail delivery service (over 4000 email addresses as of May 2019),
- Printing the public notice in newspapers around the state.

Copies of the draft 2020 CWSRF IUP and any supporting documents may be obtained via download from the Bureau's website at <https://www.env.nm.gov/construction-programs/cpb-forms-and-documents/#CWSRF-Reports> or by contacting Gail Craven at (SOS) 827-9691, gail.craven@state.nm.us, or by emailing, NMENV-cpbinfo@state.nm.us or by writing NMEDCPB, 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 IUP. 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 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 Bureau's Email List

The Bureau maintains an extensive email list (over 4000 email addresses as of May 2019) that includes individuals interested in funding information. This list is a combination of all previously interested persons who requested the Bureau provide them with information about potential funding for water, wastewater, eligible storm water projects, underground storage tank remediation and solid waste 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 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 as new information is submitted. The Bureau's website liaison is Saroj Baxter at 505-476-3036 (or email Saroj.baxter@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 has developed informational pamphlets for the CWSRF loan program that briefly explain the program, entities eligible for funding, interest rates and contact persons. The Bureau may determine whether the pamphlets 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. 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 14-day public comment period on the draft 2020 CWSRF IUP and PPL is planned to start at midnight May 18, 2019, and end at midnight June 2, 2019..

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 2020 CWSRF IUP and PPL and supporting documents may be obtained via download from the Bureau's website, <https://www.env.nm.gov/construction-programs/cpb-forms-and-documents/#CWSRF-Reports> or by contacting Gail Craven at (505) 827-9691, gail.craven@state.nm.us, or by emailing NMENV-cpbinfo@state.nm.us or writing NMED CPB, 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 IUP. 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. IUP Final Submission and Approval including Responses to Comments

To address stakeholder and community members submitted comments, the Bureau will prepare the final draft IUP as amended, which will include a response to any comments received following the close of the public comment period. The Bureau is required to submit the final draft IUP to EPA Region VI for review and approval. The final draft IUP and all appendices will be available to the public via download from the Bureau website, or upon request. The Bureau will also send a

copy of responses to comments directly to the commenter.

ATTACHMENT- CENSUS DATA

Location: User-specified polygonal location
Ring (buffer): 0-mile radius
Description:

Summary of ACS Estimates		2012 - 2016	
Population		2,082,669	
Population Density (per sq. mile)		17	
Minority Population		1,277,066	
% Minority		61%	
Households		762,551	
Housing Units		912,445	
Housing Units Built Before 1950		81,667	
Per Capita Income		24,459	
Land Area (sq. miles) (Source: SF1)		121,301.47	
% Land Area		100%	
Water Area (sq. miles) (Source: SF1)		291.79	
% Water Area		0%	

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	2,082,669	100%	2,082,669
Population Reporting One Race	2,014,872	97%	2,014,872
White	1,530,636	73%	1,530,636
Black	41,957	2%	41,957
American Indian	193,295	9%	193,295
Asian	29,168	1%	29,168
Pacific Islander	1,340	0%	1,340
Some Other Race	218,476	10%	218,476
Population Reporting Two or More Races	67,797	3%	67,797
Total Hispanic Population	995,831	48%	995,831
Total Non-Hispanic Population	1,086,838		
White Alone	805,603	39%	805,603
Black Alone	37,318	2%	37,318
American Indian Alone	179,116	9%	179,116
Non-Hispanic Asian Alone	27,448	1%	27,448
Pacific Islander Alone	963	0%	963
Other Race Alone	4,233	0%	4,233
Two or More Races Alone	32,157	2%	32,157
Population by Sex			
Male	1,031,440	50%	1,031,440
Female	1,051,229	50%	1,051,229
Population by Age			
Age 0-4	133,769	6%	133,769
Age 0-17	501,750	24%	501,750
Age 18+	1,580,919	76%	1,580,919
Age 65+	318,286	15%	318,286

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) 2012 - 2016.

Location: User-specified polygonal location

Ring (buffer): 0-mile radius

Description:

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	1,373,920	100%	1,373,920
Less than 9th Grade	92,818	7%	92,818
9th - 12th Grade, No Diploma	118,383	9%	118,383
High School Graduate	362,627	26%	362,627
Some College, No Degree	433,854	32%	433,854
Associate Degree	110,974	8%	110,974
Bachelor's Degree or more	366,238	27%	366,238
Population Age 5+ Years by Ability to Speak English			
Total	1,948,900	100%	1,948,900
Speak only English	1,258,377	65%	1,258,377
Non-English at Home ¹⁺²⁺³⁺⁴	690,523	35%	690,523
¹ Speak English "very well"	516,179	26%	516,179
² Speak English "well"	85,034	4%	85,034
³ Speak English "not well"	58,805	3%	58,805
⁴ Speak English "not at all"	30,505	2%	30,505
³⁺⁴ Speak English "less than well"	89,310	5%	89,310
²⁺³⁺⁴ Speak English "less than very well"	174,344	9%	174,344
Linguistically Isolated Households*			
Total	38,876	100%	38,876
Speak Spanish	32,561	84%	32,561
Speak Other Indo-European Languages	1,290	3%	1,290
Speak Asian-Pacific Island Languages	1,508	4%	1,508
Speak Other Languages	3,517	9%	3,517
Households by Household Income			
Household Income Base	762,551	100%	762,551
< \$15,000	123,496	16%	123,496
\$15,000 - \$25,000	95,633	13%	95,633
\$25,000 - \$50,000	190,248	25%	190,248
\$50,000 - \$75,000	130,192	17%	130,192
\$75,000 +	222,982	29%	222,982
Occupied Housing Units by Tenure			
Total	762,551	100%	762,551
Owner Occupied	516,819	68%	516,819
Renter Occupied	245,732	32%	245,732
Employed Population Age 16+ Years			
Total	1,637,594	100%	1,637,594
In Labor Force	966,377	59%	966,377
Civilian Unemployed in Labor Force	81,175	5%	81,175
Not In Labor Force	671,217	41%	671,217

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 polygonal location

Ring (buffer): 0-mile radius

Description:

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	1,948,900	100%	1,948,900
English	1,258,377	65%	1,258,377
Spanish	545,986	28%	545,986
French	5,226	0%	5,226
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	8,036	0%	8,036
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	9,019	0%	9,019
Chinese	4,550	0%	4,550
Japanese	N/A	N/A	N/A
Korean	1,533	0%	1,533
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	4,024	0%	4,024
Other Asian	4,829	0%	4,829
Tagalog	3,314	0%	3,314
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	3,384	0%	3,384
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	97,977	5%	97,977
Total Non-English	690,523	35%	690,523

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) 2012 - 2016.

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