NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU

PUBLIC INVOLVEMENT PLAN
(PIP)

Facility Name:	Lampbright Leaching System
Facility Location:	99 Santa Rita Mine Road Vanadium, NM Sections 25, 26, 35 and 36, T17S, R12W, and Section 30 and 31 T17S, R11W
County:	Grant
Responsible Party:	Randy B. Ellison, General Manager Freeport-McMoRan Chino Mines Company PO Box 10 Bayard, NM 88023
Agency:	Ground Water Quality Bureau Mining Environmental Compliance Section
GWQB Action:	Permitting – Renewal and Modification DP-376
Bureau Contact:	Brad Reid, Geologist (505) 372-8533 brad.reid@state.nm.us Main bureau telephone number: (505) 827-2900

EFFECTIVE DATE: November 2021

REVISION DATE: DATE or N/A

Kurt Vollbrecht Digitally signed by Kurt Vollbrecht
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Kurt Vollbrecht
Manager, Mining Environmental Compliance Section

Element 1 – Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (NMED or Department), Ground Water Quality Bureau (Bureau) has developed this PIP for the application for renewal and modification of the Ground Water Discharge Permit for the Lampbright Leaching System.

The permit for this facility is referred to as DP-376

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

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

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

In developing this PIP, community participation needs were assessed to ensure appropriate public outreach. This was accomplished by identifying whether there is a combination of environmental and demographic factors that may impact public participation (e.g., low income community, minority community, LEP individuals, linguistically isolated households). Because the community located near the Freeport-McMoRan Tyrone, Inc. includes a significant percentage of Spanish speakers, the Bureau will provide appropriate information in both English and Spanish.

Public involvement associated with discharge permits occurs at different stages and in different forms. Public involvement activities required by statute or regulation are mandatory and subject to statutory or regulatory deadlines. Mandatory public involvement activities and associated time requirements relevant to this PIP are noted in the *Table of Mandated Public Involvement Activities* at the end of this PIP.

The Bureau plans to conduct the public involvement activities related to the permitting process outlined in the *Table of Public Involvement Activities* below. The activity timeline and dates are tentative and subject to change.

Table of Public Involvement Activities

Activity	Date
Application Notice (PN-1) **See *Table of Mandated Public Involvement Activities* at the end of this PIP for details.**	November 2021
Placement of a hardcopy of the PIP in the local NMED office: **Silver City Field Office** **3082 32nd Street Bypass Road, Suite D** **Silver City, NM 88061** **(575) 388-1934**	November 2021
Notice of availability of draft permit (PN-2) **See *Table of Mandated Public Involvement Activities*.**	Within 60 days of determining the application is technically complete. Date to be determined.

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

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

Element 2 – Bureau Contact Information

PIP Specific Contacts

The Bureau contact for this discharge permit is:

Brad Reid, Geologist
NMED Ground Water Quality Bureau
P.O. Box 5469, Santa Fe, NM 87502-5469
(505) 372-8533 / brad.reid@state.nm.us

Non-English Language Speaker Assistance

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

Individuals with Disabilities Assistance

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

The following information will be provided in public notices so that individuals who are deaf, hard of hearing, or have difficulty speaking on the phone can contact the Bureau and ask questions about the activity or proceeding: Telephone conversation assistance is available through Relay New Mexico at no charge for people who are deaf, hard of hearing, or have difficulty speaking on the phone, by calling 1-800-659-1779 (English); 1-800-327-1857 (Spanish); TTY users: 1-800-659-8331.

Websites

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

Ground Water Quality Bureau –*https://www.env.nm.gov/public-notices/*

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

The public participation regulatory framework associated with the permitting process is identified in the *Table of Mandated Public Involvement Activities* at the end of this PIP. The Table identifies activities subject to statutory or regulatory deadlines, the associated regulatory requirements, and the associated dates or time periods.

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

EJSCREEN Summary

To provide for adequate public participation opportunities and meaningful involvement of persons in the permitting process, the affected communities must first be identified, informed about proposed environmental actions affecting the community, and invited to share their comments and concerns. The EJSCREEN tool developed by the U.S. Environmental Protection

Agency (EPA) helps identify communities that are low income, have minority populations, and have limited English proficiency that may benefit from a variety of approaches for notification and outreach communication. This information is used to help plan for the community's involvement in the public process for environmental activities or actions. In addition to the EJSCREEN results, the Bureau may consider additional information such as the U.S. Census Bureau website or NMED's EJ Mapping Tool.

The Bureau considers the affected community to be those persons living within the geographic area depicted on the attached EJSCREEN document that includes the towns of Silver City, Bayard, Hurley, Tyrone and Mimbres, which are in the proximity to the discharge site. The results of the EJSCREEN American Community Survey (ACS) Summary Report (attached to this PIP) are summarized in the table below.

EJSCREEN Results for the Affected Community

Total population	22,891
Total number of households	9,511
Percentage minority population	59%
Percentage Hispanic population	55%
Percentage of the population by race	Population reporting one race: White: ..... 93% Black: ..... 1% American Indian: ..... 3% Asian: ..... 0% Pacific Islander: ..... 0% Some Other Race: 1%
Total number of persons greater than the age of five who speak English "less than very well"	706
Percentage of persons greater than the age of five who speak English "less than very well"	3%
Total number of linguistically isolated households	169
Percentage of linguistically isolated households (Total number of linguistically isolated households ÷ total number of households) X 100	1.8%
Languages by percentage in linguistically isolated households	Spanish: ..... 100% Other Indo-European languages:0% Asian-Pacific Island languages: …0% Other languages: 0%
Percent linguistically isolated population, New Mexico*:	5.4%
Per capita income	$22,508

Per capita income, USA**	$29,979

* U.S. Census Bureau. 2011-2015 American Community Survey 5-Year Estimates, Table S1602. Limited English-Speaking Households. https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_5YR/S1602/0400000US35 (date of access: 7/26/2018).
** U.S. Census Bureau. 2015 American Community Survey 1-Year Estimates, Table S0201. Selected Population Profile in the United States. https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_1YR/S0201/0100000US (date of access: 7/26/2018).

Based on the EJSCREEN results regarding language proficiencies, the Bureau plans to conduct public outreach in accordance with the *Table of Mandated Public Involvement Activities* at the end of this PIP.

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

Public involvement activities required by statute or regulation for this permitting action are listed in the *Table of Mandated Public Involvement Activities* at the end of this document.

Public Participation – Outreach Activities

The Bureau will conduct the following outreach activities during this permitting process:

- Placement of this PIP on the Bureau website and in nearby NMED field office
- Postal mailing and email notices
- Newspaper notices
- Notice posted on NMED website

Newspapers to be utilized in the notification process include:

- Statewide circulation (English): Albuquerque Journal
- Local circulation (English and Spanish): Silver City Daily Pres - Grant

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

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

https://www.iad.state.nm.us/pueblo-tribes-and-nations/pueblos/
https://www.iad.state.nm.us/pueblo-tribes-and-nations/navajo/
https://www.iad.state.nm.us/pueblo-tribes-and-nations/apaches/

Because of the proximity of Mockingbird Subdivision, Rosedale, Central, Santa Clara, North Hurley, Bayard, Vanadium, Hanover, Santa Rita, San Lorenzo and Arenas Valley colonias, a courtesy email will be sent to the environmental director or manager of:

- Southwest New Mexico Council of Governments
  PO Box 2157
  Silver City, NM, 88062

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

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

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

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

PIP Contingency Plan

During a public health emergency or other unforeseen event outside the control of the Department, the Department will make every effort to ensure the public remains involved in and informed of the decision making and permit processes. The purpose of this PIP Contingency Plan is in part to address circumstances when public spaces are closed because of potential human exposure risks. The Department will attempt to identify and utilize alternate methods of document delivery to the public and public viewing when conventional methods and locations are unavailable. When it is unsafe to utilize the physical PIP and document repositories, the Department will consider utilizing electronic delivery methods deemed appropriate for the permitting action. While operating under the PIP Contingency Plan, the PN-2 will include a statement specifying that the PIP Contingency Plan is in effect and that, "instead of placing a copy of the PIP for this permitting action in a public location, NMED will make the PIP available to the community by sending the PIP by email or US mail to any community member requesting a copy. An individual may request a copy of the PIP utilizing the Bureau contact information in this public notice. When making such a request, please specify how you would like the document delivered. If you request a copy of a PIP, you will receive a revised PIP should the PIP be updated in the future." During the times of potential human exposure risks and the resultant implementation of

this PIP Contingency Plan, public meetings and hearings will only be held when or through means by which the Department can ensure the public's health and safety and this PIP can be fully adhered to.

Attachments

- A copy of the EJSCREEN ACS Summary Report, and a map showing the area evaluated

Table of Mandated Public Involvement Activities

Activity	Dates
Application Notice (PN-1): The first notice of the Bureau's receipt of the permit application – applicant's obligations at 20.6.2.3108.B and C NMAC – Bureau's obligations at 20.6.2.3108.E NMAC • Newspaper display ads (PN-1 synopsis[1] in English and Spanish)- Applicant obligation • NMED website *https://www.env.nm.gov/public-notices/* • Notice to government agencies • Notice to interested parties	Within 30 days of the department deeming the application administratively complete
Permit Notice (PN-2): Notice to the public of the availability of a draft permit for a 30-day review and comment period – the notice will outline the process for requesting a public hearing – obligation at 20.6.2.3108.H through J NMAC • NMED website *https://www.env.nm.gov/public-notices/* • Newspaper legal ads • Notification of interested parties • Notice to government agencies • Notice to Indian Tribes, Pueblos and Nations	Within 60 days of the department determining the application is technically complete and drafting a permit.
Public Hearing Notice (if required): Upon the Department's determination that there is substantial public interest in the permit – obligation at 20.6.2.3108.M NMAC. Notice includes information on how to participate in the hearing, and how to request an interpreter or auxiliary aid if needed. • NMED website *https://www.env.nm.gov/public-notices/* • Newspapers • Notice to interested parties • Notice to government agencies • Notice to Indian Tribes, Pueblos and Nations	Notice of the hearing shall occur at least 30 days prior to the hearing.
Response to Comments (if comments received): Upon the Secretary's decision regarding issuance of a discharge permit – obligation at 20.6.2.3109.B NMAC. The Response to Comments shall specify which provisions, if any, in the draft permit were changed and the reasons for the change, and shall briefly describe and respond to all significant comments	Response is issued 30 days after the administrative record is complete and all required information is available

[1] Suitable for display, the abbreviated format of the PN-1 synopsis does not contain all the information provided by a full public notice, e.g., language assistance or non-discrimination information.

on the draft permit raised during the public comment period or at any hearing. The Secretary shall notify persons who participated in the permitting action by mail or email of the action taken and the reasons for such action and shall include a copy of the Response to Comments.	

EJSCREEN ACS Summary Report

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

Summary of ACS Estimates	2014 - 2018
Population	22,891
Population Density (per sq. mile)	45
People of Color Population	13,520
% People of Color Population	59%
Households	9,511
Housing Units	11,513
Housing Units Built Before 1950	1,627
Per Capita Income	22,508
Land Area (sq. miles) (Source: SF1)	508.56
% Land Area	100%
Water Area (sq. miles) (Source: SF1)	0.82
% Water Area	0%

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	22,891	100%	663
Population Reporting One Race	22,460	98%	1,168
White	21,303	93%	634
Black	197	1%	120
American Indian	594	3%	208
Asian	40	0%	47
Pacific Islander	6	0%	12
Some Other Race	320	1%	147
Population Reporting Two or More Races	431	2%	128
Total Hispanic Population	12,590	55%	468
Total Non-Hispanic Population	10,301		
White Alone	9,370	41%	483
Black Alone	157	1%	120
American Indian Alone	509	2%	195
Non-Hispanic Asian Alone	28	0%	45
Pacific Islander Alone	6	0%	12
Other Race Alone	22	0%	23
Two or More Races Alone	208	1%	84
Population by Sex			
Male	11,230	49%	381
Female	11,661	51%	420
Population by Age			
Age 0-4	1,509	7%	167
Age 0-17	5,089	22%	338
Age 18+	17,801	78%	534
Age 65+	5,562	24%	295

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2014 - 2018 .

EJSCREEN ACS Summary Report

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

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	15,907	100%	449
Less than 9th Grade	987	6%	157
9th - 12th Grade, No Diploma	1,385	9%	162
High School Graduate	3,897	24%	257
Some College, No Degree	5,255	33%	305
Associate Degree	1,318	8%	158
Bachelor's Degree or more	4,383	28%	291
Population Age 5+ Years by Ability to Speak English			
Total	21,382	100%	610
Speak only English	14,819	69%	506
Non-English at Home[1+2+3+4]	6,563	31%	395
[1]Speak English "very well"	5,857	27%	391
[2]Speak English "well"	404	2%	99
[3]Speak English "not well"	219	1%	57
[4]Speak English "not at all"	83	0%	42
[3+4]Speak English "less than well"	302	1%	62
[2+3+4]Speak English "less than very well"	706	3%	114
Linguistically Isolated Households*			
Total	169	100%	43
Speak Spanish	169	100%	41
Speak Other Indo-European Languages	0	0%	17
Speak Asian-Pacific Island Languages	0	0%	17
Speak Other Languages	0	0%	17
Households by Household Income			
Household Income Base	9,511	100%	278
< $15,000	1,789	19%	189
$15,000 - $25,000	1,440	15%	150
$25,000 - $50,000	2,649	28%	214
$50,000 - $75,000	1,416	15%	143
$75,000 +	2,216	23%	221
Occupied Housing Units by Tenure			
Total	9,511	100%	278
Owner Occupied	6,530	69%	257
Renter Occupied	2,981	31%	216
Employed Population Age 16+ Years			
Total	18,370	100%	538
In Labor Force	9,531	52%	463
Civilian Unemployed in Labor Force	798	4%	133
Not In Labor Force	8,839	48%	362

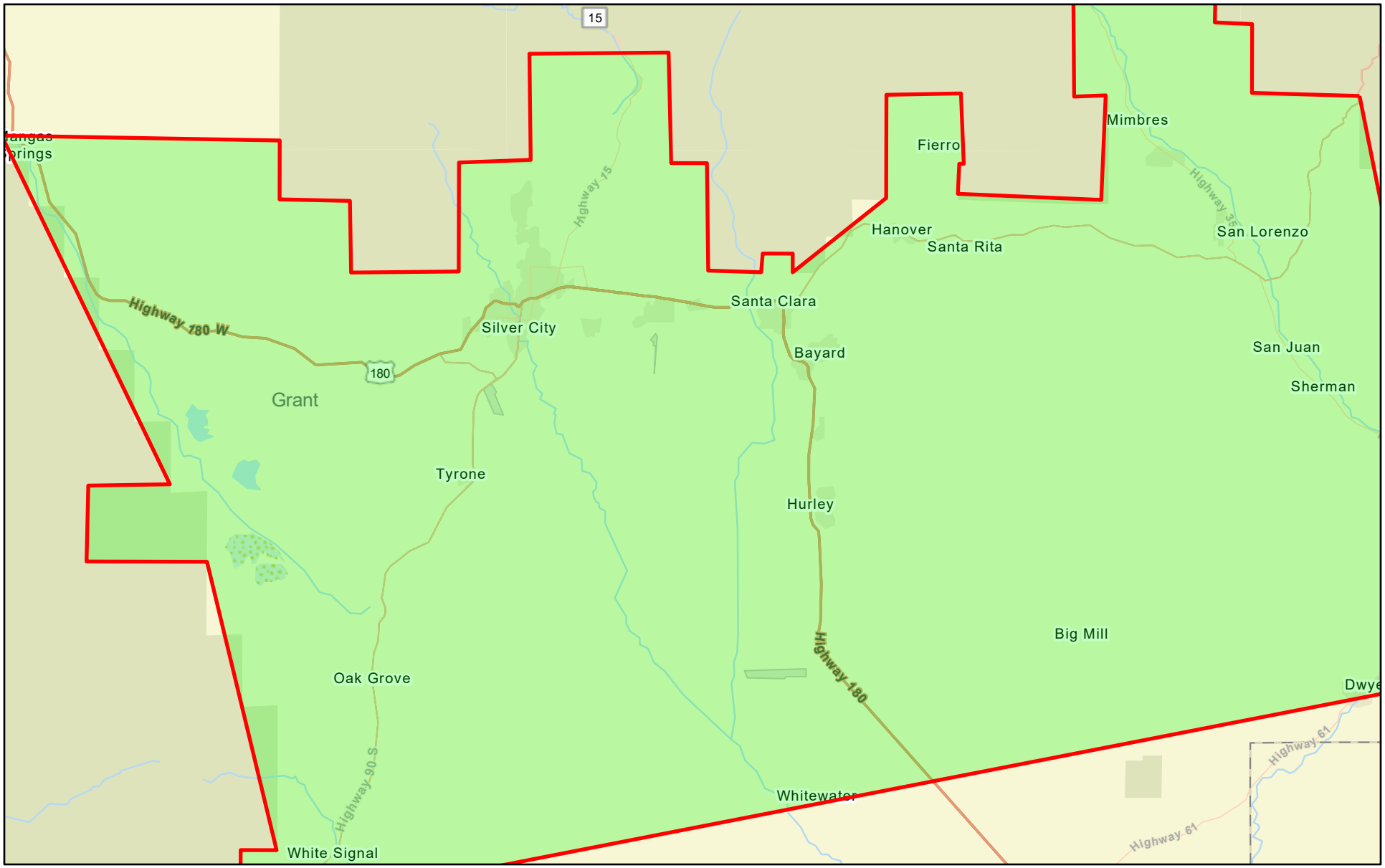
Data Note: Datail may not sum to totals due to rounding. Hispanic population can be of anyrace.
N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS)
*Households in which no one 14 and over speaks English "very well" or speaks English only.

EJSCREEN ACS Summary Report

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

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	21,382	100%	610
English	14,819	69%	507
Spanish	6,222	29%	436
French	30	0%	44
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	32	0%	25
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	34	0%	44
Chinese	8	0%	17
Japanese	N/A	N/A	N/A
Korean	0	0%	17
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	0	0%	17
Other Asian	14	0%	17
Tagalog	0	0%	17
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	0	0%	17
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	223	1%	124
Total Non-English	6,563	31%	793

Data Note: Detail may not sum to totals due to rounding. Hispanic popultion can be of any race.
N/A meansnot available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2014 - 2018.
*Population by Language Spoken at Home is available at the census tract summary level and up.



11/1/2021

Project 1

1:288,895

0 2 4 8 mi

0 3.25 6.5 13 km

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community