



**NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU**



**PUBLIC INVOLVEMENT PLAN
(PIP)**

Facility Name: City of Albuquerque Railyards

Facility Location: 2nd Street & Commercial Street (1100 2nd Street Southwest)
Albuquerque, NM
Sections 20 & 29, Township 10 North, Range 3 East

County: Bernalillo

Applicant: City of Albuquerque
Environmental Health Department
One Civic Plaza, 3rd Floor
Albuquerque, NM 87103

Agency: Ground Water Quality Bureau
Remediation Oversight Section

GWQB Action: Voluntary Remediation Program (VRP)
VRP No. 53161007

Bureau Contact: Savannah Richards
(505) 827-3253
Savannah.richards@state.nm.us

Main bureau telephone number:
(505) 827-2900

EFFECTIVE DATE: February 25, 2019

REVISION DATE: N/A

/s/ Justin Ball for

Michelle Hunter
Chief, Ground Water Quality Bureau

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 Voluntary Remediation Program (VRP) site located on 27 acres with the approximate boundary of Coal Avenue SW to the north, Avenida Cesar Chavez to the south, Commercial Street to the east, 2nd Street to the west located in Albuquerque, NM (VRP Site No. 53161007).

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 VRP 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 the VRP
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 City of Albuquerque Railyards (VRP Site No. 53161007) includes a significant percentage of Spanish speakers, the Bureau will provide appropriate information in both English and Spanish.

Public involvement associated with the VRP 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 VRP 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
Public Notice <i>See Table of Mandated Public Involvement Activities at the end of this PIP for details.</i>	March 29, 2019 through April 28, 2019
Placement of a hardcopy of the PIP in the local NMED office: Albuquerque District I Office 121 Tijeras Avenue NE, Suite 1000 Albuquerque, NM 87102 (505) 222-9500	March 29, 2019
Public Meeting Notice <i>(Only if requested by public as part of initial public notice) See Table of Mandated Public Involvement Activities for details.</i>	TBD
Public Meeting <i>(Only if requested by public as part of initial public notice)</i>	TBD
Additional Public Participation	TBD

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 VRP Site is:

Savannah Richards
NMED Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502-5469
505-827-3253
Savannah.richards@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 the VRP process. Arrangements may be made for document translation or interpretation related to the VRP process as necessary and as resources allow.

Individuals with Disabilities Assistance

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

The following information will be provided in public notices so that hearing-impaired callers can contact the Bureau and ask questions about the activity or proceeding: Toll-free numbers are available for TDD or TTY users to access the New Mexico Relay network (for deaf or hearing-impaired callers), 1-800-659-1779; 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/gwqb/public-notice/>

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

The public participation regulatory framework associated with the VRP 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 VRP 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 a 4-mile radius of the VRP site. However, according to NMED Policy 07-13, if an activity or proceeding is related to a facility that is located in an urban area or is proposed to be located in an urban area, it may be more representative of the community to be captured if a one (1) mile radius is applied. 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	10,028
Total number of households	4,762
Percentage minority population	78%
Percentage Hispanic population	68%
Percentage of the population by race	Population reporting one race: White:62% Black:4% American Indian:4% Asian:1% Pacific Islander:0% Some Other Race:20%
Total number of persons greater than the age of five who speak English "less than very well"	1,321
Percentage of persons greater than the age of five who speak English "less than very well"	14%
Total number of linguistically isolated households	387
Percentage of linguistically isolated households (Total number of linguistically isolated households ÷ total number of households X 100)	8.1%

Languages by percentage in linguistically isolated households	Spanish: 96% Other Indo-European languages: 2% Asian-Pacific Island languages: 0% Other languages: 2%
Percent linguistically isolated population, New Mexico*:	5.4%
Per capita income	\$19,026
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).

The EJSCREEN results indicate that for the affected community the proportion of the population with limited English proficiency (LEP) is significant. The Bureau has therefore performed a LEP assessment for the community and attaches that assessment to this PIP.

Because the affected community has a significant percentage of persons with difficulties communicating in English, the Bureau will consider the language and communication needs of this community when conducting public outreach and participation activities. To accomplish this the Bureau will provide the same information in Spanish as in English in public comment notices, public meeting notices, and other announcements (e.g., radio broadcasts, brochures, signs, postcards) and will strive to make public participation efforts as inclusive as possible within the Bureau's budget and time limitations. See Element 5 for more specifics on the public outreach and participation activities.

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

Public involvement activities required by statute or regulation for the VRP 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 the VRP 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
- Document repositories
- Public meetings (only if requested during public notice period)

Newspapers utilized in the notification process include:

- Statewide circulation: Albuquerque Journal

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

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

<http://www.iad.state.nm.us/apaches.html>

<http://www.iad.state.nm.us/navajo.html>

<http://www.iad.state.nm.us/pueblos.html>

Timelines and methods for submitting public comments are specified in the *Table of Mandated Public Involvement Activities*. Final VRP 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 the VRP if they want to be added to the facility specific mailing list.

Document Repository

Hard copies of important documents relevant to the VRP process, and information about how to submit comments and/or participate in any public hearings or meetings that may be held will be made available at the following location(s):

New Mexico Environment Department, District I Main Office
121 Tijeras Avenue Northeast, Suite 1000
Albuquerque, NM 87102

Attachments

- LEP Assessment
- A copy of the EJSCREEN ACS Summary Report, and a map showing the area evaluated
- A copy of the public notice with site specific information in all published languages

Table of Mandated Public Involvement Activities

Activity	Dates
<p>Public Notice & Comment Period: NMAC 20.6.3.300.B(1) The applicant must post the public notice and make the proposed Voluntary Remediation Agreement available for public review and comment. Interested parties may submit comments to the Department concerning the proposed Agreement. Interested parties may submit a request for public meeting.</p> <ul style="list-style-type: none"> • Notice posted on-site • Newspaper ads • Notice to government agencies • Notice to interested parties • NMED website https://www.env.nm.gov/gwqb/public-notice/ 	<p>The proposed Voluntary Remediation Agreement shall be made available for public review within ten (10) calendar days of the receipt of the Conditional Eligibility Determination from the Department</p> <p>Public comment period is at least thirty (30) calendar days following the newspaper publication of the Public Notice</p>
<p>Public Meeting Notice: NMAC 20.6.3.300.B(4-5) If a public meeting is requested during the public notice and comment period (PN-1) and if the Secretary determines that there is significant public interest, the applicant shall mail a notice of the time and place of the meeting to all persons who have submitted written comments or a request for public meeting.</p> <ul style="list-style-type: none"> • Newspaper ads • Notice to interested parties • NMED website https://www.env.nm.gov/gwqb/public-notice/ 	<p>At least ten (10) calendar days before the public meeting</p>
<p>Notice of Determination NMAC 20.6.3.300.E A notice of determination shall be mailed to the applicant and all persons who presented written and oral comments at public hearing indicating whether the proposed Voluntary Remediation Agreement has been approved, approved with modifications, or disapproved.</p>	<p>Within thirty (30) calendar days of the final determination that the applicant is eligible</p>
<p>Additional Public Participation NMAC 20.6.3.300.G If requested, interested parties will be kept informed of the availability of key project submittals related to the voluntary remediation activities. Such submittals will be made available for public review and comment by the Department upon request.</p>	<p>After execution of the Voluntary Remediation Agreement</p>

Limited English Proficiency (LEP) Assessment
Facility: City of Albuquerque Railyards, VRP Site No. 53161007

Factor 1: The Number and Proportion of LEP Individuals Eligible to be Served or Likely to be Encountered in Community of Concern

See Public Involvement Plan (PIP), Table of EJSCREEN Results for the Affected Community.

Conclusions:

1. The number of LEP individuals (persons over the age of 5 who speak English “less than very well” in the affected community) is 1,321.
2. The percentage of LEP individuals in the affected community is 14%.
3. The percentage of linguistically isolated households is 8.1%, which is somewhat greater than the statewide average.
4. Spanish is the predominant non-English language spoken by LEP persons.
5. Historical participation: No one has requested to be placed on a facility-specific mailing list. A review of the administrative record for this facility indicates no public interest/participation overall during the past 10 years. The review found no record of participation by the LEP community.

Factor 2: Frequency with which LEP Individuals Might Come in Contact with the Program

Contact with the VRP primarily occurs when the project is undergoing the public noticing process. The GWQB provides notice to the public and encourages participation. Individuals may participate by requesting information, submitting comments, requesting hearings, and taking part in hearings. Some VRP sites generate considerable public interest, but participation is low for most VRP sites. Historical participation in VRP activities for this facility is summarized under Factor 1.

Conclusion:

LEP participation and overall public interest in this facility have been limited historically. Based on this record, the Bureau considers the potential for LEP contact with the VRP process to be “infrequent.”

Factor 3: Nature and Importance of the Activity or Service Provided by the Program

The VRP activity is deemed by the GWQB to be *important* to NMED, the impacted community, and the State of New Mexico. The VRP activity is important to NMED because the VRP process establishes site-specific requirements that must be met to ensure protection of public health and groundwater quality and provides a means to enforce those requirements. The VRP activity is important to the impacted community because abandoned, blighted, and potentially contaminated property can pose environmental risks to the surrounding community. The VRP activity is important to the State of New Mexico because state-oversight of voluntary assessment/cleanup of contaminated sites ensures that the State's limited groundwater resources are not impacted.

Conclusion:

The GWQB considers the VRP activity *important* to NMED, to the state as a whole, and to the impacted community.

Factor 4: Resources Available to NMED for LEP Services and Associated Costs

For outreach to LEP communities associated with this VRP action, NMED employs an in-house Spanish translator/interpreter. NMED contracts with a certified translator and utilizes a phone interpretation service to assist during direct communication between LEP individuals and NMED staff. The costs of newspaper publication of public notice in Spanish and of interpretive services for a public meeting or hearing are being incorporated into the Bureau's budget, to the extent possible. Fees collected in accordance with the schedule at 20.6.2.3114 NMAC are not sufficient to cover these costs.

Conclusion:

The Bureau can accommodate the costs of the LEP services identified in this plan. If additional services are requested, the budgetary implications will be reviewed.

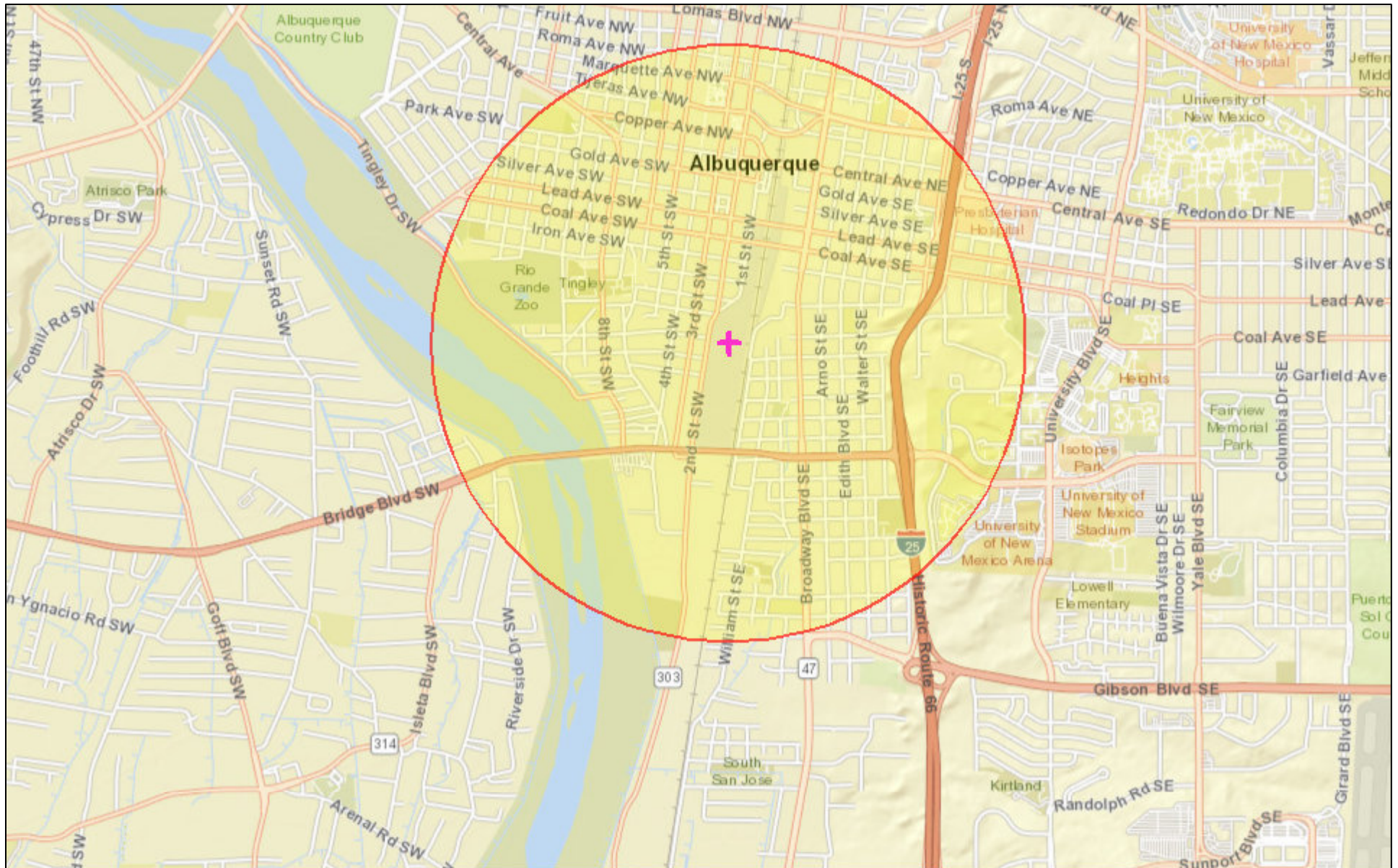
LEP Services Plan:

The Bureau plans to:

1. Translate the Public Notice and any subsequent public notices into Spanish.
2. Provide interpretive services at any public meeting or public hearing, if requested.
3. Interact with members of the LEP community using certified interpreters, when needed.

The Bureau will consider requests from members of the affected community for additional LEP services.

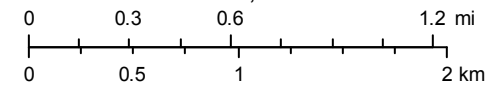
City of Albuquerque Railyards



February 14, 2019

- Buffer Area
- + Digitized Point

1:36,112



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Location: User-specified point center at 35.074712, -106.649844

Ring (buffer): 1-mile radius

Description: City of Albuquerque Railyards

Summary of ACS Estimates		2012 - 2016		
Population				10,028
Population Density (per sq. mile)				3,230
Minority Population				7,779
% Minority				78%
Households				4,762
Housing Units				5,758
Housing Units Built Before 1950				2,467
Per Capita Income				19,026
Land Area (sq. miles) (Source: SF1)				3.10
% Land Area				96%
Water Area (sq. miles) (Source: SF1)				0.13
% Water Area				4%
		2012 - 2016 ACS Estimates	Percent	MOE (±)
Population by Race				
Total		10,028	100%	685
Population Reporting One Race		9,066	90%	1,673
White		6,179	62%	610
Black		382	4%	227
American Indian		357	4%	206
Asian		92	1%	200
Pacific Islander		0	0%	11
Some Other Race		2,056	20%	419
Population Reporting Two or More Races		962	10%	205
Total Hispanic Population		6,817	68%	710
Total Non-Hispanic Population		3,211		
White Alone		2,249	22%	229
Black Alone		354	4%	219
American Indian Alone		295	3%	178
Non-Hispanic Asian Alone		91	1%	200
Pacific Islander Alone		0	0%	11
Other Race Alone		15	0%	86
Two or More Races Alone		208	2%	90
Population by Sex				
Male		4,962	49%	419
Female		5,066	51%	353
Population by Age				
Age 0-4		396	4%	144
Age 0-17		1,719	17%	289
Age 18+		8,309	83%	434
Age 65+		1,388	14%	123

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 point center at 35.074712, -106.649844

Ring (buffer): 1-mile radius

Description: City of Albuquerque Railyards

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	7,155	100%	322
Less than 9th Grade	944	13%	112
9th - 12th Grade, No Diploma	984	14%	169
High School Graduate	1,822	25%	202
Some College, No Degree	1,744	24%	183
Associate Degree	463	6%	82
Bachelor's Degree or more	1,660	23%	168
Population Age 5+ Years by Ability to Speak English			
Total	9,632	100%	601
Speak only English	5,192	54%	336
Non-English at Home ¹⁺²⁺³⁺⁴	4,440	46%	467
¹ Speak English "very well"	3,119	32%	338
² Speak English "well"	380	4%	222
³ Speak English "not well"	581	6%	215
⁴ Speak English "not at all"	361	4%	109
³⁺⁴ Speak English "less than well"	942	10%	215
²⁺³⁺⁴ Speak English "less than very well"	1,321	14%	309
Linguistically Isolated Households*			
Total	387	100%	133
Speak Spanish	370	96%	133
Speak Other Indo-European Languages	7	2%	28
Speak Asian-Pacific Island Languages	0	0%	22
Speak Other Languages	9	2%	18
Households by Household Income			
Household Income Base	4,762	100%	176
< \$15,000	1,459	31%	147
\$15,000 - \$25,000	742	16%	139
\$25,000 - \$50,000	1,313	28%	116
\$50,000 - \$75,000	676	14%	124
\$75,000 +	573	12%	143
Occupied Housing Units by Tenure			
Total	4,762	100%	176
Owner Occupied	1,772	37%	126
Renter Occupied	2,989	63%	183
Employed Population Age 16+ Years			
Total	8,604	100%	363
In Labor Force	5,159	60%	287
Civilian Unemployed in Labor Force	443	5%	95
Not In Labor Force	3,444	40%	236

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 point center at 35.074712, -106.649844

Ring (buffer): 1-mile radius

Description: City of Albuquerque Railyards

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	10,843	100%	601
English	6,043	56%	437
Spanish	4,540	42%	515
French	26	0%	33
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	25	0%	40
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	43	0%	64
Chinese	9	0%	19
Japanese	N/A	N/A	N/A
Korean	5	0%	11
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%	11
Other Asian	15	0%	30
Tagalog	8	0%	19
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%	11
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	131	1%	51
Total Non-English	4,801	44%	743

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.