



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



**PUBLIC INVOLVEMENT PLAN  
(PIP)**

**Facility Name:** Vermejo Park, LLC

**Facility Location:** 1000 Vermejo Park Ranch Road  
Section 26, Township 31N, Range 18E

**County:** Colfax

**Responsible Party:** Vermejo Park, LLC  
P.O. Box Drawer E  
Raton, NM 87740

**Agency:** Ground Water Quality Bureau  
Pollution Prevention Section

**GWQB Action:** Permitting - Renewal  
DP-261

**Bureau Contact:** Andrew Romero, Geoscientist  
(505) 827-0076  
andrew.romero@state.nm.us

**EFFECTIVE DATE:** December 28, 2018

**REVISION DATE:** N/A

/s/ Pamela E. Homer for Steve Pullen

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**Steve Pullen, Manager  
Pollution Prevention 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 Vermejo Park. The permit for this facility is referred to as DP-261.

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).

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**

<b>Activity</b>	<b>Date</b>
<b>Application Notice (PN-1)</b> <i>See Table of Mandated Public Involvement Activities at the end of this PIP for details.</i>	October 2018
<b>Placement of a hardcopy of the PIP in the local field office:</b> Raton Field Office 1277A South Second Street Raton, NM 87740 575-445-3621	January 2019
<b>Notice of availability of draft permit (PN-2)</b> <i>See Table of Mandated Public Involvement Activities.</i>	December 2018 (anticipated)

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:

Andrew Romero, Geoscientist  
NMED Ground Water Quality Bureau  
P.O. Box 5469  
Santa Fe, New Mexico 87502-5469  
505-827-0076  
andrew.romero@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 disabled individuals 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 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 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 a 4-mile radius of 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	26
Total number of households	17
Percentage minority population	46%
Percentage Hispanic population	45%
Percentage of the population by race	Population reporting one race: White: ..... 90% American Indian: ..... 1% Some Other Race: ..... 4%
Total number of persons greater than the age of five who speak English "less than very well"	1
Percentage of persons greater than the age of five who speak English "less than very well"	2%
Total number of linguistically isolated households	1
Percentage of linguistically isolated households (Total number of linguistically isolated households ÷ total number of households X 100)	5.8%
Languages by percentage in linguistically isolated households	Spanish: .....93% Asian-Pacific Island languages: .....7%
Percent linguistically isolated population, New Mexico*:	5.4%
Per capita income	\$20,958
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](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](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 over the age of five that speaks English "less than very well" is less than five percent. Public outreach will be conducted 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 utilized in the notification process include:

- Statewide circulation (English): Albuquerque Journal
- Local circulation (English): The Taos News - Colfax

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

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.

### **Attachments**

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

**Table of Mandated Public Involvement Activities**

Activity	Dates
<p>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 – Bureau's obligations at 20.6.2.3108.E NMAC</p> <ul style="list-style-type: none"> <li>• Signs (PN-1 synopsis<sup>1</sup> in English and Spanish) - Applicant obligation</li> <li>• Mailings to owners of nearby properties - Applicant obligation</li> <li>• Newspaper ads (PN-1 synopsis in English and Spanish)- Applicant obligation</li> <li>• NMED website <a href="https://www.env.nm.gov/gwqb/public-notice/">https://www.env.nm.gov/gwqb/public-notice/</a></li> <li>• Notice to government agencies</li> <li>• Notice to interested parties</li> </ul>	<p>Within 30 days of the department deeming the application administratively complete</p>
<p>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 NMAC</p> <ul style="list-style-type: none"> <li>• NMED website <a href="https://www.env.nm.gov/gwqb/public-notice/">https://www.env.nm.gov/gwqb/public-notice/</a></li> <li>• Newspaper ads</li> <li>• Notification of interested parties</li> <li>• Notice to government agencies</li> <li>• Notice to Indian Tribes, Pueblos and Nations</li> </ul>	<p>Within 60 days of the department determining the application is technically complete and drafting a permit.</p>
<p>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.L NMAC. Notice includes information on how to participate in the hearing, and how to request an interpreter or auxiliary aid if needed.</p> <ul style="list-style-type: none"> <li>• NMED website <a href="https://www.env.nm.gov/gwqb/public-notice/">https://www.env.nm.gov/gwqb/public-notice/</a></li> <li>• Newspapers</li> <li>• Notice to interested parties</li> <li>• Notice to government agencies</li> <li>• Notice to Indian Tribes, Pueblos and Nations</li> </ul>	<p>Notice of the hearing shall occur at least 30 days prior to the hearing.</p>

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<sup>1</sup> 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.

Location: User-specified point center at 36.896111, -104.982500

Ring (buffer): 4-mile radius

Description:

Summary of ACS Estimates		2012 - 2016	
Population		26	
Population Density (per sq. mile)		0	
Minority Population		12	
% Minority		46%	
Households		17	
Housing Units		39	
Housing Units Built Before 1950		4	
Per Capita Income		20,958	
Land Area (sq. miles) (Source: SF1)		57.68	
% Land Area		100%	
Water Area (sq. miles) (Source: SF1)		0.05	
% Water Area		0%	

  

	2012 - 2016 ACS Estimates	Percent	MOE (±)
<b>Population by Race</b>			
Total	26	100%	366
Population Reporting One Race	25	95%	465
White	23	90%	347
Black	0	0%	7
American Indian	0	1%	18
Asian	0	0%	11
Pacific Islander	0	0%	11
Some Other Race	1	4%	71
Population Reporting Two or More Races	1	5%	91
Total Hispanic Population	12	45%	232
Total Non-Hispanic Population	14		
White Alone	14	54%	273
Black Alone	0	0%	7
American Indian Alone	0	0%	18
Non-Hispanic Asian Alone	0	0%	11
Pacific Islander Alone	0	0%	11
Other Race Alone	0	0%	11
Two or More Races Alone	0	0%	11
<b>Population by Sex</b>			
Male	14	53%	275
Female	12	47%	159
<b>Population by Age</b>			
Age 0-4	1	5%	69
Age 0-17	4	15%	99
Age 18+	22	85%	263
Age 65+	6	22%	138

**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 36.896111, -104.982500

Ring (buffer): 4-mile radius

Description:

	2012 - 2016 ACS Estimates	Percent	MOE (±)
<b>Population 25+ by Educational Attainment</b>			
Total	20	100%	309
Less than 9th Grade	0	1%	18
9th - 12th Grade, No Diploma	1	6%	66
High School Graduate	7	34%	162
Some College, No Degree	7	37%	167
Associate Degree	2	8%	55
Bachelor's Degree or more	4	21%	127
<b>Population Age 5+ Years by Ability to Speak English</b>			
Total	25	100%	362
Speak only English	20	83%	282
Non-English at Home <sup>1+2+3+4</sup>	4	17%	145
<sup>1</sup> Speak English "very well"	4	15%	146
<sup>2</sup> Speak English "well"	1	2%	66
<sup>3</sup> Speak English "not well"	0	0%	11
<sup>4</sup> Speak English "not at all"	0	0%	14
<sup>3+4</sup> Speak English "less than well"	0	0%	14
<sup>2+3+4</sup> Speak English "less than very well"	1	2%	66
<b>Linguistically Isolated Households*</b>			
Total	1	100%	65
Speak Spanish	1	93%	64
Speak Other Indo-European Languages	0	0%	11
Speak Asian-Pacific Island Languages	0	7%	11
Speak Other Languages	0	0%	11
<b>Households by Household Income</b>			
Household Income Base	17	100%	133
< \$15,000	5	28%	97
\$15,000 - \$25,000	4	22%	79
\$25,000 - \$50,000	4	24%	90
\$50,000 - \$75,000	1	6%	28
\$75,000 +	3	20%	74
<b>Occupied Housing Units by Tenure</b>			
Total	17	100%	133
Owner Occupied	11	67%	127
Renter Occupied	6	33%	72
<b>Employed Population Age 16+ Years</b>			
Total	22	100%	321
In Labor Force	11	49%	256
Civilian Unemployed in Labor Force	2	10%	119
Not In Labor Force	11	51%	195

**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 36.896111, -104.982500

Ring (buffer): 4-mile radius

Description:

	2012 - 2016 ACS Estimates	Percent	MOE (±)
<b>Population by Language Spoken at Home*</b>			
Total (persons age 5 and above)	N/A	N/A	N/A
English	N/A	N/A	N/A
Spanish	N/A	N/A	N/A
French	N/A	N/A	N/A
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	N/A	N/A	N/A
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	N/A	N/A	N/A
Chinese	N/A	N/A	N/A
Japanese	N/A	N/A	N/A
Korean	N/A	N/A	N/A
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	N/A	N/A	N/A
Other Asian	N/A	N/A	N/A
Tagalog	N/A	N/A	N/A
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	N/A	N/A	N/A
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	N/A	N/A	N/A
Total Non-English	N/A	N/A	N/A

**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.

