



NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU
PUBLIC INVOLVEMENT PLAN
(PIP)



Facility Name: New Mexico Department of Transportation
La Cueva Patrol Yard

Facility Location: Mile marker post 23.39 on State Road NM 518 in La
Cueva, New Mexico, 87736

County: Mora

Responsible Party: New Mexico Department of Transportation
Hazardous Materials Investigation Bureau
P.O. Box 1149
Santa Fe, New Mexico 87504-1149

Agency: Ground Water Quality Bureau
Remediation Oversight Section

GWQB Action: Abatement

Bureau Contact: Matthew Smith, Geoscientist
(505) 660-8497
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Main bureau telephone number:
(505) 827-2900

EFFECTIVE DATE: 09/09/2022

REVISION DATE: N/A

Karen Menetrey, Program Manager
Remediation Oversight Section
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 stage 2 abatement plan (S2AP) modification for the New Mexico Department of Transportation – La Cueva Patrol Yard located at Mile marker post 23.39 on State Road NM 518, La Cueva, New Mexico (Site). The site originally entered the abatement process via the submission of a Stage 1 Abatement Plan in accordance with Subsections 4000 through 4115 of the New Mexico Ground and Surface Water Protection regulations, 20.6.2 New Mexico Administrative Code (NMAC) in 2001.

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 abatement 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 abatement.
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 Site includes a significant percentage of Spanish speakers, the Bureau will provide appropriate information in both English and Spanish.

Public involvement associated with abatement plans 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 Abatement 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
Placement of a hardcopy of the PIP in the local NMED office: District II – Las Vegas Field Office 2538 Ridgerunner Road Las Vegas, NM 87701 Ph: 505-454-2800	October 2022
Public Meeting	Not Applicable ^c
Public Hearing	Not Applicable ^c

^a In accordance with 20.6.2.4108.A NMAC, a news release will be issued within 30 days of filing the Stage 1 Abatement Plan.

^b In accordance with 20.6.2.4108.F NMAC, notice will occur at least 30 days prior to the meeting or hearing. This requirement only applies to Stage 2 Abatement Plans.

^c In accordance with 20.6.24108.F NMAC, a public meeting or hearing may be held if the Secretary of the Department determines there is significant public interest. This requirement only applies to Stage 2 Abatement Plans.

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 Site is:

Matthew Smith, Geoscientist
NMED Ground Water Quality Bureau
District 1 Office

121 Tijeras Ave NE, Albuquerque, NM 87102-3400
(505) 660-8497
ros.general@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 abatement process.. Arrangements may be made for document translation or interpretation related to the abatement 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 abatement 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: <https://www.env.nm.gov/public-notice/>

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

The public participation regulatory framework associated with the abatement 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 abatement 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 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	381
Total number of households	141
Percent People of Color Population	89%
Percentage Hispanic population	87%
Percentage of the population by race	Population reporting one race: White: 79% Black: 0% American Indian: 0% Asian: 0% Pacific Islander: 0% Some Other Race: 19%
Total number of persons greater than the age of five who speak English "less than very well"	16
Percentage of persons greater than the age of five who speak English "less than very well"	4%
Total number of linguistically isolated households	17
Percentage of linguistically isolated households (Total number of linguistically isolated households ÷ total number of households) X 100	12.1%

Languages by percentage in linguistically isolated households	Spanish: 100%
Percent linguistically isolated population, New Mexico*:	5.1%
Per capita income	\$20,987
Per capita income, USA**	\$35,384

* U.S. Census Bureau. 2020 American Community Survey 5-Year Estimates, Table S1602. Limited English-Speaking Households.

<https://data.census.gov/cedsci/table?q=S1602%3A%20LIMITED%20ENGLISH%20SPEAKING%20HOUSEHOLDS&g=0400000US35&tid=ACST5Y2020.S1602> (date of access: 5/4/2022).

** U.S. Census Bureau. 2020 American Community Survey 5-Year Estimates, Table B19301. Per Capita Income in the Past 12 Months (In 2020 Inflation-Adjusted Dollars).

<https://data.census.gov/cedsci/table?q=per%20capita%20income&tid=ACSDT5Y2020.B19301>. (Date of access: 5/4/2022).

The EJSCREEN results indicate that for the affected community the proportion of the population with limited English proficiency (LEP) is significant, and that the predominant non-English language is Spanish. 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, in accordance with 20.6.2.4108 NMAC and to the extent its budget and time limitations allow, 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. 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 this abatement action are listed in the *Table of Mandated Public Involvement Activities* at the end of this document.

Public Participation – Outreach Activities

In accordance with 20.6.2.4108 NMAC, the following outreach activities associated with the abatement process will be conducted for the Site:

- NMED will
 - For Stage 1 Abatement Plan activities
 - Place this PIP on the NMED website and in a nearby NMED field office; and
 - Post the news release on NMED website.

- the Responsible Party will
 - For Stage 1 Abatement Plan activities
 - NMED bears all responsibility to provide public notice outreach in accordance with Section A of 20.6.2.4108 NMAC.
 - For Stage 2 Abatement Plan activities
 - The Responsible Party bears all responsibility to provide public notice outreach in accordance with Section B of 20.6.2.4108 NMAC;
 - The Responsible Party will send notices by postal mailing and email;
 - The Responsible Party will publish newspaper notices; and
 - The Responsible Party will issue a public notice in English to a bilingual radio station serving the area where the abatement will occur.

Newspapers utilized in the notification process include:

- Statewide circulation (English and Spanish): Albuquerque Journal
- Local circulation (English): The Las Vegas Optic

Radio stations utilized in the public involvement process include:

- KTAO 101.9 FM

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

Indian Tribes, Pueblos and Nations will be notified about the abatement 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/>

The Site is located within the Mora Land Grant, which is currently inactive. Therefore, NMED shall require public notice to be provided in accordance with 20.6.2.4109(B)(2) NMAC to the Western Mora Soil and Water Conservation District, which serves Mora County.

Timelines and methods for submitting public comments are specified in the *Table of Mandated Public Involvement Activities*. Final abatement plan documentation 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 abatement plan 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 abatement 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 abatement 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 abatement 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
- LEP Assessment

Table of Mandated Public Involvement Activities

[illegible]

Attachments

- Attachment 1 - LEP Assessment
- Attachment 2 - A copy of the EJSCREEN ACS Summary Report, and a map showing the area evaluated

ATTACHMENT 1
Limited English Proficiency (LEP) Assessment
Facility: La Cueva Patrol Yard

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 16.
2. The percentage of LEP individuals in the affected community is 4%
3. The percentage of linguistically isolated households is 12.1%, which is greater than the statewide average.
4. Spanish is the predominant non-English language spoken by LEP persons.
5. Historical participation: A review of the administrative record for this facility indicates limited public interest/participation overall during the past 10 years. The portion of that public interest attributable to the LEP community cannot be determined from the record.

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

Contact with the abatement process primarily occurs when an abatement plan is under review. The GWQB provides notice to the public and encourages participation. Individuals may participate by requesting information, submitting comments on draft abatement plans, requesting hearings, and taking part in hearings. Some abatement plans generate considerable public interest, but participation is low for most abatement plans. Historical participation in abatement plans 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 abatement process to be “infrequent.”

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

The abatement plan activity is deemed by the GWQB to be "important" to NMED, the impacted community, and the State of New Mexico. The abatement plan activity is important to NMED because the abatement plan 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 abatement activity is important to the impacted community because contaminated property can pose environmental risks to the surrounding community. The

abatement activity is important to the State of New Mexico because state oversight of abatement at contaminated sites ensures that the State's limited groundwater resources are not impacted.

Conclusion:

The GWQB considers the abatement 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 abatement action, NMED employs an in-house Spanish translator/interpreter and utilizes a phone interpretation service to assist during direct communication between LEP individuals and NMED staff. The responsible party bears the responsibility to cover costs for public notice activities that are mandated pursuant to 20.6.2.4108 NMAC for the modification of a S2AP.

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:

To accommodate the needs of the LEP individuals who may be interested in this abatement process, the Bureau plans to:

1. Require the Responsible Party to provide public notice for non-English speakers in accordance with the requirements of 20.6.2.4108 NMAC.
2. Require the Responsible Party to 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.

Location: User-specified polygonal location
 Ring (buffer): 4-miles radius
 Description: NMDOT- La Cueva

Summary of ACS Estimates		2015 - 2019	
Population		381	
Population Density (per sq. mile)		8	
People of Color Population		340	
% People of Color Population		89%	
Households		141	
Housing Units		273	
Housing Units Built Before 1950		54	
Per Capita Income		20,987	
Land Area (sq. miles) (Source: SF1)		45.04	
% Land Area		99%	
Water Area (sq. miles) (Source: SF1)		0.35	
% Water Area		1%	

	2015 - 2019 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	381	100%	361
Population Reporting One Race	371	97%	670
White	300	79%	355
Black	0	0%	12
American Indian	0	0%	12
Asian	0	0%	12
Pacific Islander	0	0%	12
Some Other Race	71	19%	267
Population Reporting Two or More Races	10	3%	31
Total Hispanic Population	330	87%	335
Total Non-Hispanic Population	51		
White Alone	40	11%	78
Black Alone	0	0%	12
American Indian Alone	0	0%	12
Non-Hispanic Asian Alone	0	0%	12
Pacific Islander Alone	0	0%	12
Other Race Alone	10	3%	147
Two or More Races Alone	0	0%	12
Population by Sex			
Male	131	35%	211
Female	249	65%	265
Population by Age			
Age 0-4	0	0%	12
Age 0-17	72	19%	143
Age 18+	309	81%	283
Age 65+	78	21%	116

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) 2015 - 2019

Location: User-specified polygonal location

Ring (buffer): 4-miles radius

Description: NMDOT- La Cueva

	2015 - 2019 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	279	100%	292
Less than 9th Grade	7	2%	25
9th - 12th Grade, No Diploma	15	5%	57
High School Graduate	126	45%	117
Some College, No Degree	82	29%	195
Associate Degree	32	11%	116
Bachelor's Degree or more	18	6%	123
Population Age 5+ Years by Ability to Speak English			
Total	381	100%	361
Speak only English	105	28%	243
Non-English at Home ¹⁺²⁺³⁺⁴	276	72%	265
¹ Speak English "very well"	260	68%	262
² Speak English "well"	0	0%	12
³ Speak English "not well"	16	4%	40
⁴ Speak English "not at all"	0	0%	12
³⁺⁴ Speak English "less than well"	16	4%	40
²⁺³⁺⁴ Speak English "less than very well"	16	4%	40
Linguistically Isolated Households*			
Total	17	100%	40
Speak Spanish	17	100%	38
Speak Other Indo-European Languages	0	0%	12
Speak Asian-Pacific Island Languages	0	0%	12
Speak Other Languages	0	0%	12
Households by Household Income			
Household Income Base	141	100%	108
< \$15,000	22	15%	51
\$15,000 - \$25,000	20	14%	51
\$25,000 - \$50,000	48	34%	78
\$50,000 - \$75,000	14	10%	43
\$75,000 +	38	27%	71
Occupied Housing Units by Tenure			
Total	141	100%	108
Owner Occupied	113	80%	105
Renter Occupied	29	20%	62
Employed Population Age 16+ Years			
Total	309	100%	316
In Labor Force	136	44%	233
Civilian Unemployed in Labor Force	0	0%	12
Not In Labor Force	172	56%	182

Data Note: Detail 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.

Location: User-specified polygonal location

Ring (buffer): 4-miles radius

Description: NMDOT- La Cueva

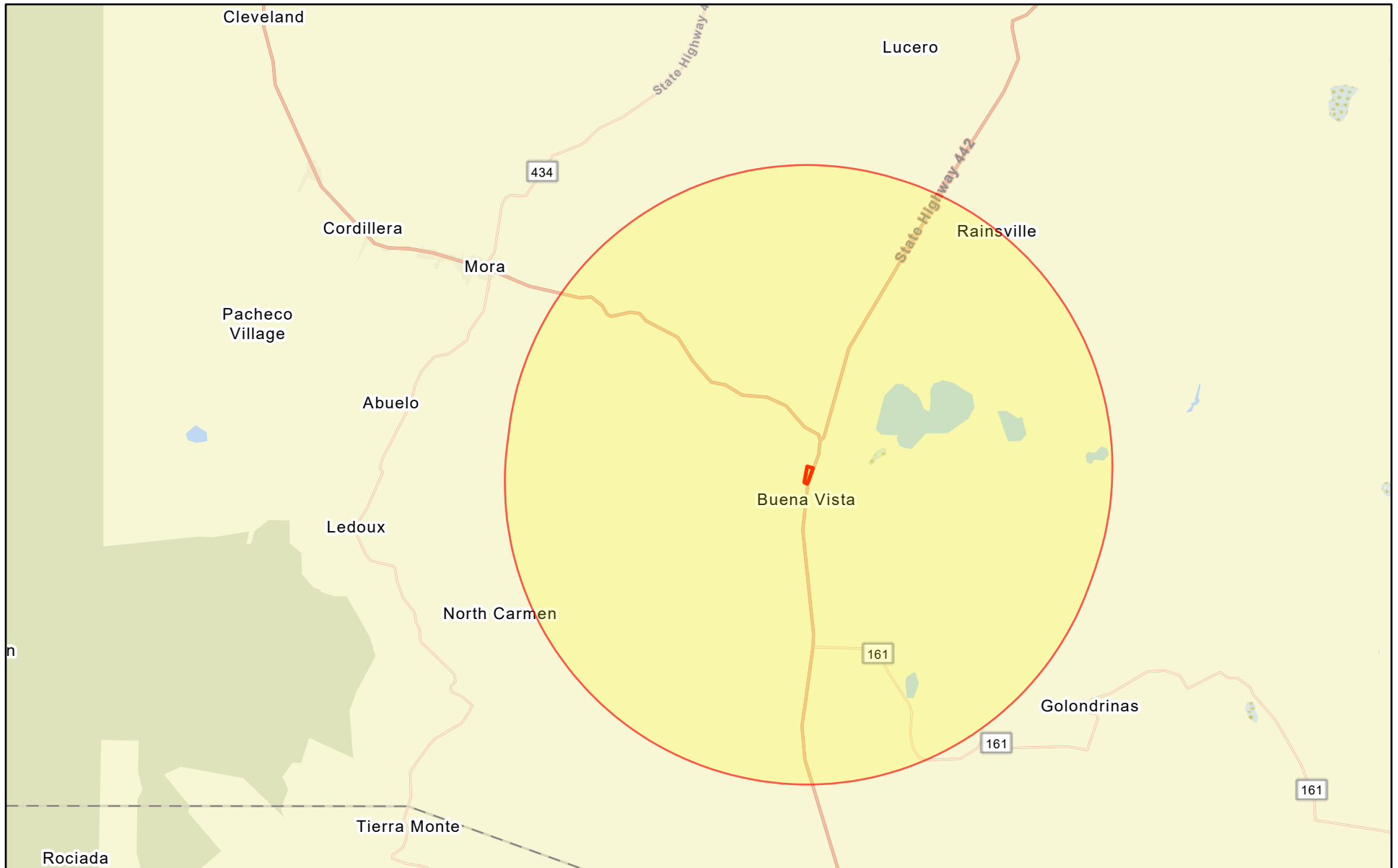
	2015 - 2019 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	785	100%	109
English	257	33%	307
Spanish	517	66%	315
French	6	1%	12
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	1	0%	9
Yiddish	N/A	N/A	N/A
Other West Germanic	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	0	0%	12
Chinese	0	0%	12
Japanese	N/A	N/A	N/A
Korean	0	0%	12
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%	12
Other Asian	0	0%	12
Tagalog	0	0%	12
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	5	1%	45
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	0	0%	12
Total Non-English	529	67%	326

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) 2015 - 2019.

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

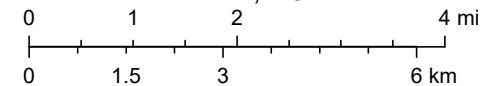
NMDOT- La Cueva



7/25/2022

 NMDOT- La Cueva

1:144,448

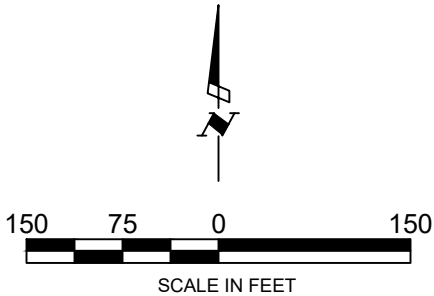


New Mexico State University, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA



LEGEND:

- MW-1 MONITORING WELL
- MW-4 ABANDONED MONITORING WELL
- GARCIA WELL WATER SUPPLY WELL
- APPROXIMATE PROPERTY BOUNDARY AS OF 9/10/15



NEW MEXICO DOT
LA CUEVA PATROL YARD
MORA COUNTY, NEW MEXICO

FIGURE 1
SITE MAP