



Environmental Justice in 303(d) and 319 Programs in New Mexico

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EJ Background

- **N.M. Const. Article VII, Section 3:** The right of any citizen of the state to vote, hold office or sit upon juries, shall never be restricted, abridged or impaired on account of religion, race, language or color, or inability to speak, read or write the English or Spanish languages except as may be otherwise provided in this constitution...
- **N.M. Const. Article XIX, Section 1:** The secretary of state shall cause any such amendment or amendments to be published in at least one newspaper in every county of the state, where a newspaper is published once each week, for four consecutive weeks, in English and Spanish when newspapers in both of said languages are published in such counties, the last publication to be not more than two weeks prior to the election at which time said amendment or amendments shall be submitted to the electors of the state for their approval or rejection; and shall further provide notice of the content and purpose of legislatively approved constitutional amendments in both English and Spanish to inform electors about the amendments in the time and manner provided by law.



NMED-Public Participation

- Develop Public Involvement Plan (PIP) that outlines public participation process and takes into account local customs/holidays when planning meetings
- Limited English Proficiency (LEP) plan is developed using EPA-EJScreen to identify into which languages we need to translate the public notice.
- Spanish translator on staff. Other languages contracted out.
- Provide translation and interpretation at public meetings



NMED-Tribal Outreach

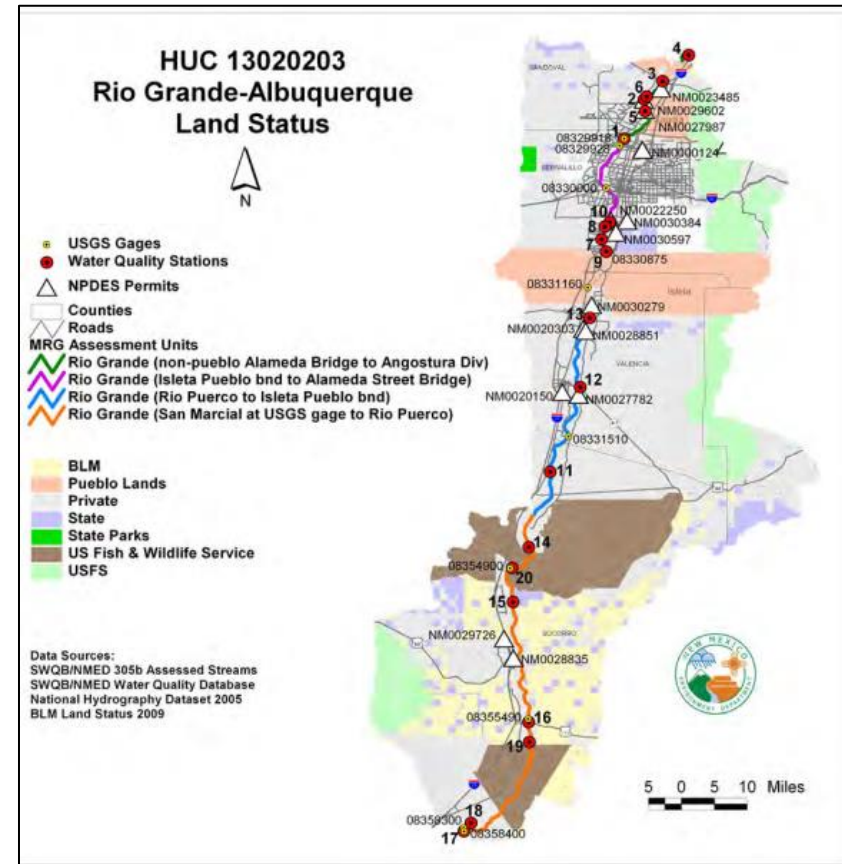
- 23 Federally recognized Tribes in NM
 - 19 Pueblos
 - Jicarilla Apache, Mescalero Apache, Ft. Still Apache, and Navajo Nation
- 13 tribes have EPA-approved WQS
- NMED Tribal Liaison coordinates communication with NM tribes, nations, and pueblos
- NMED monitoring staff coordinate sample collection with tribal technical staff





Middle Rio Grande *E.coli* TMDL

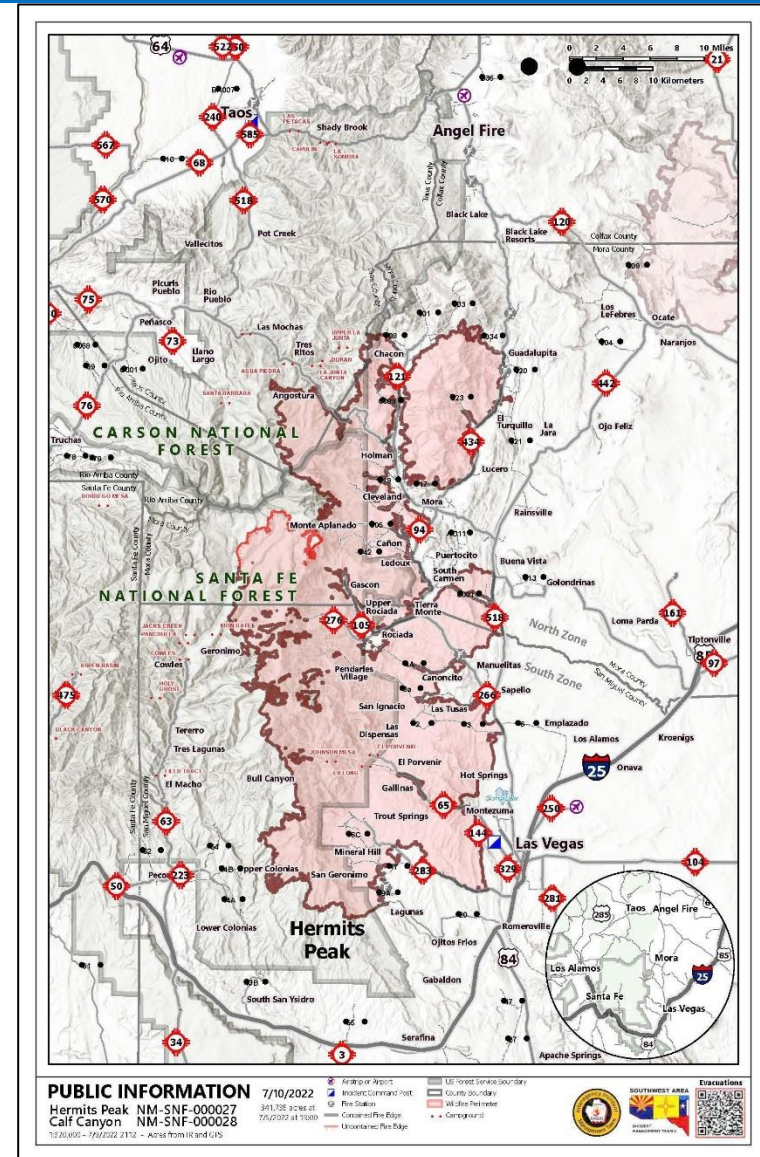
- The Albuquerque urban area is bounded by Sandia Pueblo to the north and Isleta Pueblo to the south.
- Both pueblos have EPA-approved WQS for primary contact ceremonial use of 47 cfu/100 mL whereas NMED WQS is 126 cfu/100mL
- TMDL and subsequent NPDES permits utilized pueblo WQS for WLA and effluent limits





Hermits Peak-Calf Canyon Fire

- Largest wildfire in NM history
- Started April 6, 2022
- 314,735 acres burned and 93% contained as of July 11





Hermit's Peak-Calf Canyon Fire

- The Gallinas River watershed is within the fire boundary
- The City of Las Vegas (population 16,000) is an EJ community and relies on the Gallinas River for 90% of their drinking water supply
- Post-fire concern is severe runoff and sedimentation impairment. City is unable to treat overly turbid water for the water supply
- Hermit's Peak Watershed Alliance (HPWA) is an active watershed group in the watershed.
- HPWA had an existing WBP (2012) that was revised in 2018. NMED and EPA added an addendum in June 2022 to assist in fire recovery efforts related to reducing sedimentation loading.



HERMIT'S PEAK
WATERSHED ALLIANCE



Resources

- NMED-EJ presentation to ACWA by NMED General Counsel:
<https://www.acwa-us.org/wp-content/uploads/2020/08/EJ-NMED.pdf>
- NMED-EJ website: <https://www.env.nm.gov/general/environmental-justice-in-new-mexico/>
- NMED-Tribal liaison website:
<https://www.env.nm.gov/tribal-liaison/>
- Hermits Peak-Calf Canyon Fire
<https://inciweb.nwcg.gov/incident/8049>



Questions?

New Mexico Environment Department
Surface Water Quality Bureau

<https://www.env.nm.gov/surface-water-quality/>

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