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**Limited English Proficiency (LEP) Services Evaluation**

**Air Quality Bureau**

**Project:** Sunland Park Nonattainment State Implementation Plan

**Regulatory Significance:** A small portion of Doña Ana County, including the City of Sunland Park, New Mexico, was designated by the U.S. Environmental Protection Agency (EPA) as a marginal nonattainment area for the 2015 8-hour primary National Ambient Air Quality Standard (NAAQS) for ozone, effective August 3, 2018. A nonattainment designation triggers specific requirements and timelines for states to submit to EPA a State Implementation Plan (SIP) revision to bring designated areas into compliance with the NAAQS. As part of the nonattainment SIP revision, permit requirements become more restrictive pursuant to 20.2.79 NMAC, *Permits – Nonattainment Areas*. Additionally, the State will be required to complete a 179B demonstration showing international emission’s influence on the nonattainment area’s ozone design value to prevent a bump up in designation classification to moderate.

**Factor 1 – The Number and Proportion of Limited-English Proficient Individuals Eligible to be Served or Likely to be Encountered in the Community of Concern.**

Table 1 contains demographic indicators related to language obtained from the EJSCREEN ACS Summary Reports (2013-2017) prepared for the project’s Public Involvement Plan (PIP). The results of the EJSCREEN ACS Summary Reports indicate that a significantly larger percentage of population (96%) of the City of Sunland Park are a minority compared with the population of the United States. Households in the City of Sunland Park are greater than 28% linguistically isolated which is 5 times higher than the U.S. average. Spanish is the predominant language in these households. The per capita income is \$17,987 in the City of Sunland Park; which is slightly above half the average of U.S. per capita income. These results indicate that attention should be paid to additional language assistance, especially Spanish.

**Table 1: Potentially affected communities and their estimated demographics.**

Potentially Affected Communities	Total number of households	Per capita income	Minority population (%)	Linguistically Isolated Households* (%)	Predominant Language in Linguistically Isolated Households	LEP Individuals† (%)
USA	120,049,636	\$30,642	39%	5.1%	Spanish	9%
New Mexico	770,435	\$25,257	62%	5.2%	Spanish	9%
Sunland Park	4,749	\$17,987	93%	28.4%	Spanish	37%

\* Linguistically Isolated Households are those in which no one 14 and over speaks English “very well,” or speaks English only.

† Limited English Proficient Individuals are those that speak a language other than English at home **and** who speak English “less than very well.”

**Factor 2 – The Frequency with Which LEP Individuals Come in Contact with the Program.**

There is no record of contact with LEP individuals regarding this project. In addition, similar planning projects, such as the VW Mitigation Plan and the Dust Mitigation Plan/Fugitive Dust Rule have not recorded contact with LEP individuals, even when materials were translated into Spanish and Spanish translation was offered as an option. Nevertheless, all outreach materials will be translated into Spanish, due to the demographics noted in Table 1, above. In addition, due to the sizeable percentage of linguistically isolated households who speak Spanish, interpretation services will be offered for public meetings, including the required Environmental Improvement Board hearing. Through the outreach campaign, the Air Quality Bureau (AQB) intends to monitor the need for additional language services.

**Factor 3 – The Nature and Importance of the Activity or Service Provided by the Program. (Moderately Important, Important, Very Important):**

The Sunland Park Nonattainment SIP project is very important to the public, the New Mexico Environment Department (NMED or Department), and industry. The Department is statutorily required to undertake this planning effort to bring the area back into attainment with the NAAQS. Areas designated nonattainment experience stricter permitting requirements, sometimes hampering development in those areas. In addition, the Department will eventually consider rules and voluntary measures that may affect both the public and industry. Further, keeping air quality within the health- and welfare-based standards for ozone is important to protect the health and welfare of the citizens of New Mexico, and is the mission of the AQB.

**Factor 4 – Resources Available to NMED and Associated Costs:**

The Department has an in-house translator to assist Spanish speakers. In the event the in-house translation services are not available, the AQB has sufficient funds for the translation of material into Spanish and to provide Spanish interpretation services at meetings. The following are the anticipated costs for various portions of the proceedings:

- Costs associated with translation: \$1000;
- Costs associated with providing a language interpreter: \$1000-3000, depending on the number and length of the proceeding(s) and the language assistance requested;
- Costs for a court reporter: \$2000.

**Conclusion:** Based on the demographics outlined above, the history of public involvement for related projects, and projected impacts to potentially affected communities, additional language services will be provided. Fact sheets and public notices will be translated and available in Spanish. Spanish interpretation services for meetings, hearings or other procedures will be available upon request. All public notices will include information on how to request other communication assistance through NMED.

Additional information on how the public will be invited to participate in this project can be found in the PIP.

The LEP Services Evaluation has been reviewed and approved by the Air Quality Bureau Chief.

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Liz Bisbey-Kuehn  
Bureau Chief  
Air Quality Bureau

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Date approved