



NEW MEXICO ENVIRONMENT DEPARTMENT
Drinking Water Bureau

Limited English Proficiency (LEP) Analysis
for the
State of New Mexico Drinking Water State Revolving Fund
Intended Use Plan and Project Priority Lists

May 2024

APPROVAL PAGE

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Limited English Proficiency (LEP) Analysis for the SFY25 Drinking Water State Revolving Fund Intended Use Plan

The purpose of this analysis is to determine the extent to which LEP services are necessary and is based on relevant information for the following four factors defined by Department policy:

- Factor 1: The Number and Proportion of LEP Individuals Eligible to be Served or Likely to be Encountered in the Community of Concern.
- Factor 2: The Frequency with Which LEP Individuals Come in Contact with the Program.
- Factor 3: The Nature and Importance of the Activity or Service Provided by the Program.
- Factor 4: The Resources Available to NMED and the Associated Costs.

1. Number and proportion of LEP persons estimated to be served or encountered in the community of concern.

The U.S. Census Bureau collects data through the American Community Survey (ACS) to assess language characteristics within a geographic area. These data identify a person's ability to speak English "very well" or less than "very well" and the language predominately spoken at home for those populations age 5 and older. The **2018-2022** ACS Report from the U.S. Census Bureau American Community Survey (ACS) data was used to determine the state specific number and proportions of LEP individuals eligible to be served or likely to be encountered in the community of concern. The **2018-2022** ACS reports provide quantitative information regarding LEP populations for this analysis.

The **2018-2022** ACS data provides quantitative information regarding these populations in New Mexico. A person with Limited English Proficiency (LEP) is defined as the ability to speak English less than very well. An analysis of the ACS data identified LEP populations within New Mexico and their language characteristics.

Census Data Results

Census Quick Facts¹ data for the state of New Mexico indicate that the total population within New Mexico is 2,114,371 as of July 1, 2023, but for the purposes of this analysis the ACS estimates for 2018-2022 will be used. ACS data reports the total state population age 5 years and older as **2,112,463**. In addition, **30.9%** of the total population (621,448) is age 5 and older and speaks a language other than English at home. Of these individuals, approximately **29.9%** (186,027) speak English "less than very well" representing **9.3%** of the 5 year and over population within New Mexico.

The number of Limited English-Speaking Households in New Mexico total 42,420 with 79% (34,317) of those households reported to speak Spanish.

ACS estimates for 2018–2022 for the population age 5 and older that speak a language other than English approximately **30.6%** speak Spanish and **5.1%** speak an un-specified language. The remaining **2.9 %** is Other Indo-European Languages and Asian and Pacific Island languages. DWB will likely encounter Spanish speakers in New Mexico that speak English less than very well. Based on this analysis the potential number of LEP individuals eligible for LEP services is 186,027.

¹ <https://www.census.gov/quickfacts/fact/table/NM,US/PST045219#PST045219>

The Bureau reviewed their records and found that, prior to SFY25 there has been no LEP participation regarding the State of New Mexico Drinking Water State Revolving Fund (DWSRF) Intended Use Plan (IUP) and Project Priority Lists. Public Involvement Plan for the SFY25 Intended Use Plan required public notice to be advertised in both English and Spanish. No comments were received from individuals needing specific accessibility accommodations to provide public comment.

2. The frequency with which LEP individuals might come in contact with the program.

There is one potential area where the Drinking Water Bureau might interact with LEP individuals with regard to the SFY25 DWSRF publication. The Bureau publishes the Notice of Public Comment of the IUP on the DWB website, on the NMFA website, on the public comment portal, and utilizes GovDelivery ListServ notification which includes all water system contact addresses. The IUP is the central component of the State's application to EPA for Federal Fiscal Year 2025 Capitalization Grant for DWSRF and for the Bipartisan Infrastructure Law General Supplemental, Lead Service Line Replacement, and Emerging Contaminants Capitalization Grants. It describes how the bureau proposes to use the funds to meet the objectives of the Safe Drinking Water Act and the New Mexico DWSRLF Act and it communicates the plans to stakeholders and covers the period of July 1, 2024, through June 30, 2025. The IUP identifies the short- and long-term goals of the program, the priority setting process used to rank projects on the Project Priority Lists, and it describes how the State will use the set-asides to support the bureau. Comments can be submitted in writing, email or by phone call for the 30-day comment period. In the last five years the bureau received 8 comments on the IUP and have never had an interaction with an LEP individual on the IUP.

An identifier of "**not frequent**" is being assigned because, although the actual interaction with LEP individuals has been non-existent, there is potential given the demographics of the state and the extent of projects that the IUP and Project Priority Lists cover.

3. The nature and importance of the activity or service provided by the subject material of the program.

Many people in New Mexico depend on community water systems to serve their drinking water needs. The IUP and associated Project Priority Lists provide information to the public about what projects have applied for funding and what projects are likely to receive subsidy for the annual funding cycle.

Considering the importance of the DWSRF funding to the Department to provide a way for communities to get low-cost funds to alleviate problems with their drinking water systems and to the State to assist in maintaining water quality to protect public health in New Mexico, an identifier of "**very important**" is being assigned.

4. The resources available to NMED and the associated costs.

From the Bureau's assessment, there are adequate resources available within the Department to address LEP requirements. NMED recently hired a certified translator who can translate public notices and vital documents for the Department. If it is discovered that additional LEP services are needed, the Bureau will contract with a translator/interpreter to communicate with those LEP individuals. Other expanded outreach activities that may be utilized, as identified and necessary, include:

- Posting translated materials and information on the Bureau's website;
- Identifying personal to provide language assistance services, such as an interpreter, to facilitate phone interpretations with LEP individuals;
- Airing announcements in Spanish or other languages as deemed appropriate on local radio stations;
- Printing translated materials on postcards that are distributed to the affected community; and,
- Working with community leaders (tribal chapter houses, church leaders, community centers, libraries, etc.) to disseminate the information to the affected population.

LEP Plan for the Statewide DWSRF Intended Use Plan

Policy Overview

This LEP Four Factor Analysis has been prepared in accordance with the New Mexico Environment Department (NMED) Limited English Proficiency Accessibility and Outreach Policy 07-11 and NMED Public Participation Policy 07-13 by NMED's Drinking Water Bureau Sustainable Water Infrastructure Group (SWIG).

The Bureau anticipates that a NMED Public Notice will be published announcing a public comment period. More information will be provided in the activity's Public Involvement Plan (PIP). This determination will be kept with the administrative record for this activity.

Determination

The community of concern is the entire State of New Mexico and has a population of 2,112,463 persons. The percent of persons that communicate in a language other than English (non-English) at home is 30.9% and of these individuals, approximately 29.9% (186,027) speak English "less than very well". The percentage of Limited English-Speaking Households is 5.3% (43,420), of which 79% (34,317) speak Spanish. DWB will likely encounter Spanish speakers in New Mexico that speak English less than very well. Based on this analysis the potential number of LEP individuals eligible for LEP services is 186,207.

Based on a balanced evaluation of the four factors described previously, the assessment indicates that the audience for the IUP is very important, the likelihood of interaction with LEP individuals is not frequent but possible and the bureau has sufficient resources to address LEP requirements.

Additional language assistance (interpretation or translation services) or outreach are needed for this activity. All notices and other outreach materials for this activity/facility will be published in both English and Spanish (see Public Involvement Plan). The outreach materials will include information on how LEP persons or persons with disabilities can obtain assistance. The Bureau has determined that there are adequate resources available within the Department to provide LEP services, as determined or requested.

Final Actions

Based on the assessment above, **all public notices will be published in both English and Spanish** (see Public Involvement Plan).

If LEP individuals call the Bureau to request information about the Program or Report, the person answering the call will find appropriate staff (see table below), if they do not speak Spanish, to field the call, or will take down the caller's name and number to have somebody call back:

"Lo siento. No hablo español. Puedo tomar su nombre y número (para alguien pueda llamarlo)?"

If LEP individuals provide written comment during the public comment period for inclusion in the record, the Bureau will translate their response and include both English and Spanish versions in the Response to Comments.

If an LEP individual has in-person contact with Bureau staff, and the staff does not speak Spanish, the staff will attempt to find a coworker (e.g., the Department's interpreter) who can talk with the LEP individual. If another coworker is not available, the staff will take the LEP person's name and number for follow-up communication (see above).

If the LEP individual speaks a language other than Spanish, the responding staff will coordinate interpretation services with the Department's interpreter. The Bureau may arrange for on-call telephone interpretation services.

DWB Employees who may be used to field phone calls and in-person interactions, and languages spoken.

DWB Employee	Language(s) Spoken	Phone Number	Email Address	Office Location
Pedro Archuleta	Spanish	505-372-8168	pedro.archuleta@env.nm.gov	Santa Fe
Maria Medina	Spanish	505-629-7223	maria.medina@env.nm.gov	Santa Fe
Diana Aranda	Spanish	505-372-8166	Diana.aranda@env.nm.gov	Albuquerque
Antonio Romero	Spanish	505-490-3951	Antonio.romero@env.nm.gov	Las Cruces
Melanie Delgado	Spanish	505-670-5897	Melanie.delgado@env.nm.gov	Espanola