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By email

Kurt Temple, Acting Director
Office of External Civil Rights Compliance
United States Environmental Protection Agency
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Washington, DC 20460
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Re: Complaint under Title VI of the Civil Rights Act of 1964 and the Environmental Protection Agency's implementing regulations regarding discrimination by the Albuquerque Environmental Health Department and the City of Albuquerque in the administration of the Albuquerque-Bernalillo County Air Quality Program

Dear Acting Director Temple:

Los Jardines Institute ("Los Jardines") and the Natural Resources Defense Council (NRDC) submit this complaint to urge EPA to impose concrete, enforceable measures on a local government agency that is failing the most vulnerable residents of Bernalillo County, New Mexico. The County, in which the City of Albuquerque sits, is home to a number of lower-income Latino communities and communities of color whose residents suffer disproportionate health burdens from air pollution. Within a county that earns an "F" grade in all air quality metrics evaluated by the American Lung Association,[1] pollution levels are appreciably worse in communities of color: in many of these neighborhoods, diesel particulate matter pollution levels and EPA's respiratory hazard index are in the state's 90th percentile.[2]

Ten years ago, the Southwest Organizing Project alerted EPA to the region's inequities by filing a Title VI complaint. That complaint alleged disparate impact

[1] Am. Lung Ass'n, *New Mexico: Bernalillo* (last visited May 24, 2024), https://www.lung.org/research/sota/city-rankings/states/new-mexico/bernalillo.

[2] See EJScreen Reports described infra at pages 24-25.

discrimination by the permitting authority for Albuquerque and Bernalillo County, the Albuquerque Environmental Health Department (EHD), and the appellate and regulatory agency, the Albuquerque-Bernalillo County Air Quality Control Board ("Air Board"). Despite accepting the complaint and drafting a proposed informal resolution agreement, EPA has not imposed any requirements on EHD or the Air Board to prevent discrimination. Although the Air Board accepted EPA's proposed terms as necessary to comply with Title VI, EHD balked at the draft agreement's modest requirements.[3]

Given institutional inaction and worsening air quality, community members petitioned the Air Board in 2022 to promulgate a cumulative impacts regulation that would require EHD to map overburdened communities and limit their exposure to additional air pollution. But in late 2023, just before the Air Board began public hearings on the cumulative impacts rule, the Albuquerque City Council ("City Council")—without any resistance from, and perhaps in partnership with, EHD—tried to dismantle the Air Board and prevent it from issuing any regulation at all. EHD is not merely failing to comply with Title VI; it is *actively opposing* the Air Board's attempt to ensure EHD complies with the dictates of law.

The City Council's and EHD's brazen attempt to frustrate the realization of a fundamental goal of environmental justice—to recognize and reverse the deleterious effects of disproportionate and dangerous air pollution—cries out for federal intervention now. The current compliance situation is in a state of chaos. The Air Board's cumulative impacts regulation is in limbo as various entities—including EHD—challenge it in New Mexico's backlogged courts. The City Council's intimidation and attempted dismantling of the Air Board chills future action. History demonstrates that, if left on its own, EHD will continue to permit industrial activity that will shower ever more pollution on communities that already have too much, in stark disregard of the Civil Rights Act and EPA policy.

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[3] Letter from Lauren Meiklejohn, Chair, Air Board, to Lilian S. Dorka, Deputy Assistant Adm'r, EPA, re EPA File No. 13R-14-R6, at 2 (Jan. 12, 2023) ("Air Board Letter"), *attached to* Notice of Filing Air Board/USEPA Negotiations Which Invalidate the Rulemaking Process and Suppl. Mot. to Disqualify ("Suppl. Mot. to Disqualify"), No. 2022-3 (Albuquerque-Bernalillo Cnty. Air Quality Control Bd. Mar. 29, 2023), Doc. 23.

Unless otherwise noted, any other citations to a docket going forward are to the Air Board's rulemaking docket in the form [Document Name] [page number] ([date filed]), Doc [#].

We urge EPA to accept our complaint or, in the alternative, conduct a searching compliance review of EHD, to achieve the same essential goal: the prompt adoption and enforcement of a cumulative impacts regime in Bernalillo County that will map overburdened lower-income communities of color and reverse the long history of over-polluting those communities to the severe detriment of the people who reside in them.

I. Parties

The complainants are Los Jardines and NRDC.

Los Jardines is a multicultural, multigenerational grassroots organization that focuses on environmental, economic, and food justice. Los Jardines is based in Albuquerque's South Valley and promotes multi-generational learning through projects, organizing, policy work, and partnering with other local, state, and national organizations. Among other affiliations, Los Jardines is a member of the Environmental Justice Health Alliance for Chemical Policy Reform, a national network of grassroots environmental and economic justice organizations that works to eliminate the disproportionate impacts of toxic chemical exposure in communities of color and low-income communities. Since its founding in 2008, Los Jardines has worked to strengthen other community organizations and leaders in Albuquerque, including through collaborations with the Santa Barbara Martineztown Neighborhood Association, the Greater Gardner Neighborhood Association, the Health Equity Council in the International District, the San Jose Community, the Mountain View Neighborhood Association, and the Friends of Valle de Oro National Wildlife National Refuge (also located in Mountain View). Los Jardines has also been working with YES Housing Inc. on constructing affordable housing in the Mountain View community.

NRDC is an environmental and public health nonprofit advocacy organization. It is committed to protecting communities from health threats and works to reduce the disproportionate burdens borne by communities of color and low-income communities from environmental contamination, including air pollution. One of NRDC's priorities is to ensure that regulatory authorities consider cumulative impacts when making decisions that affect communities already overburdened with pollution.

The recipients are EHD and the City of Albuquerque. EHD reviews and grants air permit applications for the City of Albuquerque and Bernalillo County, New Mexico. EHD is part of the City of Albuquerque's government.[4] The City of

[4] *See* City of Albuquerque, *About the Air Quality Program* (last visited May 30, 2024), https://www.cabq.gov/airquality/albuquerque-bernalillo-county-air-quality-program

Albuquerque, alongside Bernalillo County, sets the Air Board's structure and powers through local ordinances. *See infra* pp. 5-7.

II. Jurisdiction

EPA will accept a complaint for investigation under Title VI if the complaint (1) is in writing; (2) alleges discriminatory acts that, if true, may violate EPA's Title VI regulations; (3) identifies a recipient of EPA assistance that committed the alleged discriminatory acts; and (4) is either filed within 180 days of the alleged discriminatory acts or asserts a continuing discriminatory policy or practice. 42 U.S.C. § 2000d; 40 C.F.R. § 7.120(b).[5]

This complaint meets each of these requirements. It is in writing; it cites discriminatory conduct that may violate Title VI; and it identifies EHD and the City of Albuquerque, which receive EPA financial assistance,[6] as the entities committing the unlawful discriminatory acts. The complaint alleges continuing unlawful discrimination by EHD in its administration of air pollution permitting: EHD has not eliminated its policies that discriminate against communities of color, nearly eight years after EPA accepted the Title VI complaint against EHD and the Air Board in July 2016.[7]

("The Albuquerque-Bernalillo County Air Quality Program, administered by the City of Albuquerque Environmental Health Department, is authorized to implement and enforce clean air regulations to protect public health within the boundaries of the City of Albuquerque and Bernalillo County.").

[5] *See also* U.S. EPA, External Civ. Rts. Compliance Off., *Case Resolution Manual* 5, 7-8 (Jan. 2021).

[6] *See, e.g.*, USASpending, *Project Grant 02F33101*, https://www.usaspending.gov/award/ASST_NON_02F33101_6800 (last visited May 24, 2024) (Grant to City of Albuquerque for air pollution mapping); USASpending, *Formula Grant 00615822*, https://www.usaspending.gov/award/ASST_NON_00615822_6800 (Grant to City of Albuquerque to assist with implementation of air pollution control programs); USASpending, *Spending by Prime Award*, https://www.usaspending.gov/search/?hash=ad4e3aa79463f10a8dfdde700219ea46 (last visited May 24, 2024) (filter of grants from EPA to City of Albuquerque from FY 2008 to FY 2024); *see also* Draft Informal Resolution Agreement 1 ("Draft Agreement"), EPA Compl. No. 13R-14-R6 (undated), *attached to* Suppl. Mot. to Disqualify, *supra* n.3 (acknowledging EHD's receipt of EPA funds).

[7] Letter from Lilian S. Dorka, Acting Dir., EPA Off. of Civ. Rts., to Kelsey Curran, Chairperson, Albuquerque-Bernalillo Cnyt. Air Quality Control Bd., and Mary Lou

The complaint also is filed within 180 days of the City Council's December 4, 2023 enactments to block the Air Board's attempt to remedy the unlawful discrimination.[8]

In the alternative, even if EPA concludes that a prima facie case of disparate impact or intentional race discrimination has not been made, it may still conduct a compliance review to ensure recipients of federal funds are not engaging in discriminatory conduct. *See* 40 C.F.R. § 7.115(a); 28 C.F.R. § 42.407(c). EPA has issued public guidance on the criteria it uses to prioritize compliance reviews, and our request meets the applicable criteria.

III. Legal Framework

A. Air pollution regulation for Albuquerque & Bernalillo County under the Clean Air Act

Under the Clean Air Act (CAA), states can formulate their own plans to meet national ambient air quality standards. *See* 42 U.S.C. § 7410(a)(1). While states have broad latitude, EPA must review and approve a state's plan to ensure it meets certain substantive and infrastructure requirements. *See id.*; *see also* 40 C.F.R. § 51.104(b) (requiring states to submit any revisions to their plans within 60 days of adoption). A state may rely on a local or regional government or agency to implement its plan in a particular geographic area. *See* 42 U.S.C. § 7410(a)(2)(E). Failure by either the state or local agency to meet CAA requirements results in EPA taking over the state's air pollution program unless the state fixes the problem. *See id.* § 7410(c)(1)(A).

New Mexico's Air Quality Control Act divides air pollution authority between a "department" that makes initial permitting decisions, N.M. Stat. Ann. §§ 74-2-2(C), -5.1, -7(B), and an oversight "board" that issues regulations and hears permitting appeals, *id.* §§ 74-2-3, -5(B), -7(H). Currently, the state government administers all parts of New Mexico's air program except for the area within the boundaries of the City of Albuquerque and Bernalillo County. *See* 40 C.F.R. pt. 52, subpt. GG (New Mexico's plan showing New Mexico laws and City and County ordinances).

The governments of Albuquerque and Bernalillo County share authority over a single air pollution program that covers the entire county, including Albuquerque. This means Albuquerque and Bernalillo County each have ordinances delegating authority

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Leonard, Envt. Health Dir., Albuquerque Air Quality Div. (July 19, 2016) ("2016 Acceptance Letter").

[8] *See* Albuquerque, N.M. Ordinance O-2023-29 (Dec. 4, 2023) & Resolution R-2023-097 (Dec. 4, 2023); *see infra* pp. 15-17 (describing effects of ordinance and resolution).

to the Air Board and EHD to control air pollution, which—until the City Council's unilateral action in December 2023, *see infra* pp. 16-17—substantially paralleled each other. *Compare* Albuquerque, N.M. Ord. ("City Ord.") Ch. 9, art. 5, pt. 1,[9] *with* Bernalillo County, N.M. Ord. ("Cnty. Ord.") Ch. 30, art. II.

Under the joint air pollution program, EHD is the local permitting authority. *See* City Ord. § 9-5-1-5, -7; Cnty. Ord. § 30-34, -36; *see also* N.M. Admin. Code § 20.11.1.7 (defining EHD as the agency "responsible for the administration and enforcement" of the area's air regulations). Although run by the City of Albuquerque, EHD's permitting and enforcement authority covers both the City and the County—i.e., any entity that needs a CAA permit in Bernalillo County must submit an application to EHD even if it is not within Albuquerque's city boundaries. *See* City Ord. § 9-5-1-5(A); Cnty. Ord. § 30-34(a).

The Air Board is the local regulatory and appellate authority. It promulgates regulations that cover air quality standards that EHD must incorporate into its permitting decisions. *See* City Ord. §§ 9-5-1-3(A); -5-1-4(B); Cnty. Ord. § 30-33(b), (c). Any member of the public may file a petition with the Air Board to promulgate a rule. *See* City Ord. § 9-5-1-6(A); Cnty. Ord. § 30-35(a). EHD also routinely files rulemaking petitions with the Air Board.[10] The Air Board cannot promulgate a regulation without a public hearing. *See* City Ord. § 9-5-1-6(B); Cnty. Ord. § 30-35(b). Additionally, any person who wishes to challenge EHD's permitting decisions may file an appeal with the Air Board. *See* City Ord. § 9-5-1-7(H); Cnty. Ord. § 30-36(h).

Like EHD, the Air Board's authority applies to both the City and County. *See* City Ord. § 9-5-1-3(A); Cnty. Ord. § 30-32(a). Unlike EHD, however, the Air Board has specific structural requirements to ensure diversity in viewpoints and limit industry capture as required by federal law. *See* City Ord. § 9-5-1-3(B)(4)(a), (E); Cnty. Ord. § 30-32(b)(4)(A), (e); *see also* 42 U.S.C. § 7428 (income and conflicts of interest requirements

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[9] Unless otherwise noted, citations to the Albuquerque Code of Ordinances refers to the version linked on the City's website as of May 28, 2024—which does *not* reflect the City Council's December 2023 changes to the Air Board. This complaint cites to the Ordinance O-2023-29 when referring to City Council's changes. A copy of the Code of Ordinances as it appeared on May 28, 2024, is available in the sources folder.

[10] *See* Air Board, *Rulemaking Process Guidebook* 5 (2023), https://www.cabq.gov/airquality/air-quality-control-board/documents/2023-05-01_approved-aqcb-rulemaking-guidebook.pdf (stating EHD typically proposes new and amended rules).

for boards). The City appoints four members to the Air Board while the County appoints three. *See* City Ord. § 9-5-1-3(B)(2); Cnty. Ord. § 30-32(b)(2). Each board member has a three-year term and appointments are staggered such that in a single year, no more than two city appointees' terms expire and no more than one county appointee's term expires. *See* City Ord. § 9-5-1-3(B)(3); Cnty. Ord. § 30-32(b)(3). As a structural matter the Air Board oversees the smaller, city-controlled EHD through its regulatory and appellate powers.

B. Title VI & EPA's Title VI Regulations

Title VI prohibits recipients of federal funding from discriminating based on race. 42 U.S.C. § 2000d. A recipient of federal funds must practice non-discrimination in all its activities. *Id.* §§ 2000d, 2000d-4a.

Congress directed federal agencies to publish rules to effectuate Title VI. *Id.* § 2000d-1. Under EPA's regulations, "[n]o person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving EPA assistance on the basis of race." 40 C.F.R. § 7.30. This extends beyond intentional discrimination to practices that cause disparate harm: "A recipient shall not use criteria or methods of administering its program or activity which have the effect of subjecting individuals to discrimination because of their race . . . or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity with respect to individuals of a particular race." *Id.* § 7.35(b).

IV. Factual Background

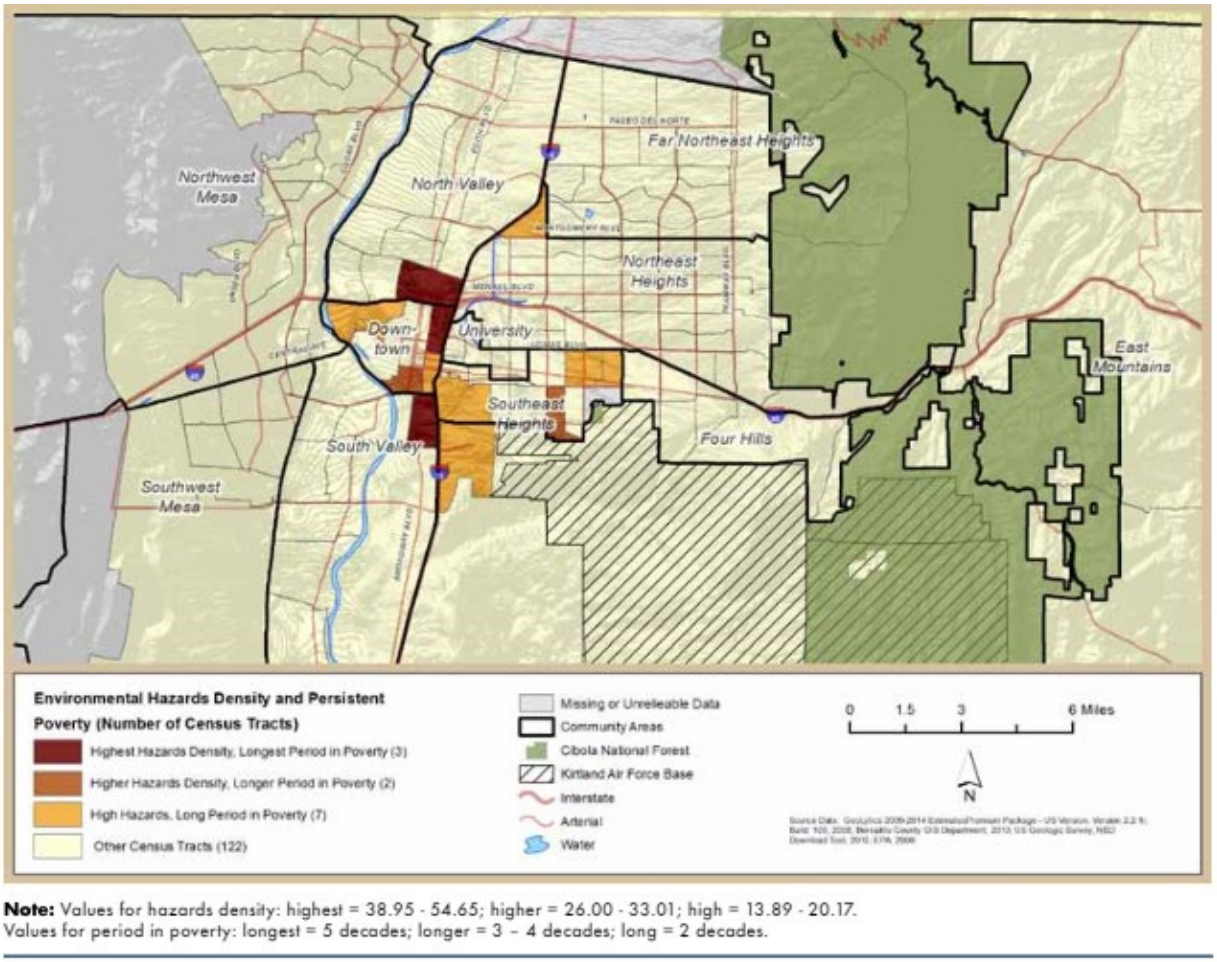
A. Albuquerque and Bernalillo County have a history of concentrating pollution in communities of color

Racial segregation has a long legacy in Albuquerque and Bernalillo County. The city expanded during the period when racial covenants, a tool to enforce residential segregation by preventing property sales to people of color, were in their prime. Racial covenants surged following the Supreme Court's decision upholding the practice in 1926.[11] Although the Court overturned its racist precedent in 1948,[12] Congress did not outlaw discriminatory housing practices until the Fair Housing Act of 1968, Pub. L. No. 90-284, 82 Stat. 81. Albuquerque's population boomed following World War II—

[11] *Corrigan v. Buckley*, 271 U.S. 323 (1926); *see also* Larry Barker, *Albuquerque's Dirty Little Secret*, KRQE (Nov. 10, 2020), https://www.krqe.com/news/larry-barker/albuquerques-dirty-little-secret/.

[12] *See Shelley v. Kraemer*, 334 U.S. 1 (1948).

between 1940 and 1950 alone, the city's population tripled.[13] Concentrated housing construction during this period allowed developers to create planned neighborhoods that were white only.[14] Albuquerque's zoning laws also contributed to segregation with areas with better air quality "claim[ed] . . . for larger/more expensive homes."[15]



Note: Values for hazards density: highest = 38.95 - 54.65; higher = 26.00 - 33.01; high = 13.89 - 20.17.
Values for period in poverty: longest = 5 decades; longer = 3 – 4 decades; long = 2 decades.

Map 1: Regions of elevated environmental risk & persistent poverty by census tract, Bernalillo County (1970-2009)

[13] *See* Barker, *supra* n.11.

[14] *See id.* (highlighting homesites sold by real estate developers during the 1920s and 1940s that contained racial covenants in the Monte Vista Addition and Skyline Heights neighborhood).

[15] *See* City of Albuquerque & MASS Design Group, *Housing and Entrepreneurship Part 1: Needs Assessment Report* 45 (Oct. 11, 2022), https://www.cabq.gov/office-of-equity-inclusion/documents/221107_abq-housing_needs-assessment_final.pdf.

As Map 1 shows, downtown and southwest Albuquerque have historically had both persistent poverty levels and a high density of environmental hazards, including areas around the Martineztown, San Jose, and Mountain View neighborhoods in southwestern Albuquerque.[16] Other parts of Albuquerque with this pernicious combination include the parts encompassing Greater Gardner in the northwest and the International District in the southeast.

Indeed, segregation and its harms persist today.[17] The populations of Albuquerque, Bernalillo County, and New Mexico are majority Hispanic or Latino—each around 50% according to Census data—but several Albuquerque neighborhoods have significantly higher percentages.[18] As Table 1 shows, predominantly Hispanic or Latino (60% or more of the population) neighborhoods are in the city's southwest, including San Jose, Mountain View, and Martineztown. Greater Gardner also has a large Hispanic or Latino population at 58%. Other neighborhoods are disproportionately people of color compared to the city, county, and state populations. For example, while the populations of Albuquerque, Bernalillo County, and New Mexico are each around 60% people of color, the International District is 74%, Martineztown 80%, and San Jose 94%.

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[16] Joint Ctr. For Pol. & Econ. Studies, *Place Matters for Health in Bernalillo County: Ensuring Opportunities for Good Health for All* 16 map 11 (2012), https://www.nationalcollaborative.org/wp-content/uploads/2016/02/PLACE-MATTERS-for-Health-in-Bernalillo-County.pdf. As explained later in the study, the map reflects hazards per square mile based on hazardous and pollutant data from Bernalillo County at point level. *Id.* at 17.

[17] *See, e.g.*, Crescendo Consulting, *Draft City of Albuquerque Affirmatively Furthering Fair Housing Report*, 38 (2022), https://www.cabq.gov/health-housing-homelessness/documents/city-of-albuquerque-affirmatively-furthering-fair-housing-report-draft-for-public-comment-12082022.pdf (draft assessment prepared for Albuquerque as part of its Department of Housing and Urban Development grant receipt obligations recognizing that "residential segregation . . . remains"); ABC Our America, *Albuquerque: Housing & Wealth*, https://ouramericaabc.com/equity-report/albuquerque/wealth (last visited May 23, 2024) (noting that Albuquerque has a neighborhood segregation index of 32, with "[e]xperts studying the issue consider[ing] an index 30 or above to represent segregation").

[18] Numbers are from Table B03002 "Hispanic or Latino Origin by Race" by the U.S. Census's 2022 American Community Survey (ACS) based on five-year estimates. Copies of the data tables downloaded are included as Exhibits A-G.

	San Jose	Mountain View	Greater Gardner	Martineztown	International District
% People of Color	94	71	65	80	74
% Hispanic or Latino	84	69	58	62	N/A

Table 1: Demographic information based on 2022 American Community Survey five-year estimates tables B03002 & EPA EJScreen Reports[19]

Air permitting data for Bernalillo County underscore that polluting facilities continue to be concentrated in predominantly Latino neighborhoods. EPA's Enforcement and Compliance History Online (ECHO) database shows that 36% of active air permits in Bernalillo County are in the four zip codes covering San Jose, Mountain View, Greater Gardner, Martineztown, and the International District despite those zip codes accounting for only 21% of the county's population.[20] Other types of pollution are also concentrated in these zip codes. According to ECHO, which tracks drinking water, wastewater, and hazardous waste facilities, 34% of the county's facilities are in the four zip codes of interest.[21]

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[19] San Jose is defined as Census blocks 350010013004 and 350010013001; Mountain View is census blocks 350010040011, 350010040012, and 350010040013; Martineztown is census blocks 350010020001 and 350010020002; and Greater Gardner is census blocks 350010032011, 350010032024, 350010032023, and 350010032021. Copies of the data tables downloaded for each neighborhood are included as part of the complaint's exhibits. The International District's population is from EPA's EJScreen using boundaries defined using the "draw tool" because it encompasses more census blocks than the EJScreen tool allows users to aggregate. EPA's EJScreen does not show racial or ethnic breakdowns, so data on the International District's Hispanic or Latino population is not available. The International District's demographic information is available as Exhibit K.

[20] EPA, *Facility Search – Enforcement and Compliance Data* https://echo.epa.gov/facilities/facility-search (last visited May 29, 2024) (running search after selecting from Media Program menu "Air (CAA)" and from "Geographic Location" menu "New Mexico" as state and "Bernalillo County" as county). A copy of the data downloaded is available as Exhibit P. Zip code populations are from Table S0101 "Age and Sex" by the U.S. Census's 2022 American Community Survey (ACS) based on 5-year estimates and is included in Exhibit Q. County population is taken from the information referenced in note 1818.

[21] EPA, *Facility Search – Enforcement and Compliance Data* https://echo.epa.gov/facilities/facility-search (last visited May 29, 2024) (running

B. EPA has an ongoing Title VI investigation of the Albuquerque-Bernalillo County Air Quality Control Program

On September 15, 2014, the Southwest Organizing Project filed a Title VI complaint ("2014 Complaint") with EPA against the Air Board and EHD.[22] The 2014 Complaint alleged that several predominantly Latino communities in Bernalillo County—Mountain View, San Jose, and Greater Gardner—had concentrations of air pollutants higher than national EPA standards (as measured by air quality monitoring data) and higher levels of numerous diseases (including leukemia, lung, bladder, brain, and thyroid cancer) and child hospitalization rates for asthma compared to the rest of the county.[23] The 2014 Complaint also noted that the Air Board refused to hold a hearing—a prerequisite for promulgating any regulation—on the complainant's petition filed earlier that year for a rule requiring EHD to consider cumulative impacts in its air permitting decisions.[24]

The 2014 Complaint requested, among other actions, that EPA investigate the Air Board and EHD for discriminatory implementation of their air pollution programs; mandate the use of air quality monitoring data in permitting decisions; and require the Air Board to adopt a cumulative impacts regulation.[25]

Two years later, EPA accepted the complaint and stated it would investigate two issues: (1) whether the Air Board and EHD discriminated against residents on the basis of race or national origin in their permitting and appellate decisions; and (2) whether the Air Board discriminated against residents on the basis of race or national origin by refusing to conduct a hearing on the cumulative impacts rule proposed earlier that year.[26]

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search after selecting from Media Program menu "All Media Programs" and from "Geographic Location" menu "New Mexico" as state and "Bernalillo County" as county). A copy of the data downloaded is available as Exhibit O.

[22] Compl., *Sw. Org. Project v. Albuquerque Air Quality Division*, EPA File No. 13R-14-R6 (Sep. 16, 2014).

[23] *Id.* at 13-14.

[24] *Id.* at 7.

[25] *Id.* at 16-17.

[26] 2016 Acceptance Letter, *supra* n.7.

Although discussions between EPA, the Air Board, and EHD were not public, other groups served EHD with public records requests[27] that revealed a copy of a draft informal resolution agreement ("Draft Agreement"). The undated Draft Agreement referenced data from August 16, 2022, suggesting that EPA had drafted the agreement around (and certainly no earlier than) that date.[28] Neither the Air Board nor EHD admitted in the Draft Agreement that they had violated Title VI. Nonetheless, the Draft Agreement's background section included information probative of discrimination, including that the San Jose, Mountain View, and Greater Gardner neighborhoods were over 70% Hispanic or Latino and were in the 80th percentile or higher for the state in the Respiratory Hazard Index based on EPA's 2017 Air Toxics Update.[29]

The Draft Agreement contemplated that the Air Board would follow its established procedures if presented with a proposed cumulative impacts regulation.[30] Additionally, the Air Board and EHD would agree that as part of EHD's permitting process (1) EHD would adopt a routine method for screening environmental justice and civil rights concerns; and (2) EHD would engage in a multi-factor analysis of environmental justice issues raised in the initial screening.[31] The screening analysis would require EHD to consider several factors including:

- Whether a community was particularly vulnerable to the adverse effects of the proposed permitting action;
- Whether the community already disproportionately bore public health or environmental burdens; and
- Whether the affected area had residents who could be disproportionately harmed by adverse health or environmental impacts based on race, color, or national origin (including limited English proficiency).[32]

If triggered by the screening factors, the disparate impacts analysis would require EHD to consider the cumulative impacts of the proposed permit on the

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[27] *See* Albuquerque-Bernalillo Cnty. Joint Air Quality Program's Notice Regarding Inspection of Public Records Act Release, (Apr. 14, 2023), Doc. 39.

[28] *See* Draft Agreement, *supra* n.6, at 4.

[29] *Id.* at 2-4. EPA used 2019 ACS data in the Draft Agreement.

[30] *Id.* at 5-6.

[31] *Id.* at 8-9.

[32] *Id.* at 8.

surrounding community based on exposure to chemical and non-chemical stressors.[33] EHD would then need to evaluate whether the adverse impacts fell disproportionately on a race, color, or national origin group based on comparing the composition of the affected population against the composition of unaffected populations.[34] If that evaluation revealed a disproportionate impact, EHD would need to evaluate whether there was a "substantial legitimate justification" for the additional pollution proposed and whether there was a less discriminatory alternative.[35]

C. Community members petition the Air Board with a cumulative impacts rule to redress the concentration of air pollution in communities of color

In March 2022, several community members[36] joined forces to petition the Air Board to promulgate a rule requiring EHD to account for cumulative impacts on overburdened communities in its permitting decisions.[37] In response, EHD initiated a targeted plan to obstruct the Air Board's jurisdiction, in further disregard of the Draft Agreement's clear message that the agency lacked a mechanism to consider and address the surrounding community's existing burdens and vulnerability.

EHD resisted community members' efforts from the start. It objected to the petition in part because it came from community-based groups, and criticized the proposed rule for not going through the same consultation procedures the department used for drafting rules and for not including feedback from EPA Region 6.[38] Eventually, in July 2023, EHD filed its own "Environmental Justice Concepts" proposal in the Air Board docket which would have had applicants file their own "environmental justice assessment" reports with EHD but would not obligate EHD to change any permitting decisions beyond a conclusory statement that EHD should deny a permit if issuing it

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[33] *Id.* at 9.

[34] *Id.*

[35] *Id.* at 9-10.

[36] The initial petitioners included the Mountain View Neighborhood Association, Mountain View Community Action, and Friends of Valle de Oro. Pro se parties Sofia Martinez (co-coordinator for Los Jardines), Manuel Criollo, and Elaine Cimino, representing other political districts in Bernalillo County, later joined them.

[37] Pet. to Amend Title 20, Chapter 11 of the N.M. Admin. Code to Require Review and Consideration of Health, Environment, and Equity Impacts (Nov. 21, 2022), Doc. 1.

[38] EHD's Response to the Petition ¶¶ 3, 12 (Dec. 13, 2022), Doc. 3.

would violate Title VI.[39] As the Air Board described in a January 2023 letter to EPA regarding the community-proposed rule, "EHD has not offered to work with the community group to ensure the [proposed] rule is effective and workable."[40] Moreover, the Air Board noted EHD's view that EPA should dismiss the complaint even without measures to detect disparate impact discrimination in place, a position with which the Air Board disagreed.[41]

Industry players also opposed the rulemaking. These included members of the construction, concrete, and mining industries.[42] In addition, some public entities opposed the rulemaking. These included components of the federal government such as the National Nuclear Security Administration, Kirtland Air Force Base, the Air Force, and Sandia National Laboratories[43] (Sandia).[44] The University of New Mexico Board of Regents also opposed the rule.[45]

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[39] EHD's Notice of Envt. Justice Concepts & Ex. A (July 18, 2023), Doc. Nos. 96 & 96.1 (see proposed concepts at 20.11.72.15 and 20.11.72.19(A)).

[40] Air Board Letter, *supra* n.3, at 2.

[41] *See id.*

[42] *See* Entry of Appearance for Albuquerque Asphalt et al. (Jan. 25, 2023), Doc. 7; Entry of Appearance on Behalf of GCC Rio Grande, Inc. et al. (Feb. 13, 2023), Doc. 15; Entry of Appearance on Behalf of N.M. Mining Ass'n & N.M. Chamber of Commerce (May 8. 2023), Doc. 48.

[43] Sandia is a federally funded research development center owned by the National Nuclear Security Administration within the Department of Energy. *See* Dep't of Energy Nat'l Sec. and Mil. Applications of Nuclear Energy Authorization Act, Pub. L. No. 96-164 § 212, 93 Stat. 1259 (1979) (making Sandia a national laboratory). The Department of Energy does not operate Sandia. Instead, it contracts with private entities to run the lab's work. The current contractor is Honeywell International, Inc. *See* Sandia, *About Sandia*, https://www.sandia.gov/about (last visited May 29, 2024).

[44] *See, e.g.*, The Federal Parties' Notice of Intent & Ex. 5 (Nov. 17, 2023), Docs. 185 & 185.7 (list of testifying experts for the national security agencies including the Department of Defense's comments); Notice of Intent to Present Technical Testimony (Nov. 17, 2023), Doc. 173.

[45] Entry of Appearance for Board of Regents of the University of N.M. (July 17, 2023), Doc. 92.

D. EHD and the City Council obstruct the Air Board's efforts to address the concentration of air pollution in communities of color

Despite the urgent need for a cumulative impacts regulation, community members sought to extend the rulemaking schedule to "give the [Air] Board the best, most informed blueprint" and to "allow the Board to adopt the most legally and scientifically sound" rule.[46] The proposed rule's language was amended several times, including after pre-hearing discussions that included EHD and industry members.[47] In September 2023, the Air Board rescheduled the hearing from October 23 to December 4 to give the public time to consider the changes before preparing their testimony.[48] Unsatisfied with simply letting the Air Board consider the merits of their arguments, however, opponents of the cumulative impacts rule in the City Council sought to stop the rule—and the Air Board— outright.

1. The City Council attempts to intimidate and dismantle the Air Board

On October 16, 2024, the City Council introduced a two-pronged assault on the cumulative impacts rule.[49] One prong, a resolution, placed a moratorium on the Air Board from considering any "quality of life" regulations. Specifically, from the

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[46] Pets.' Memo. in Support of Joint Mot. to Extend Hearing Date 6 (Sept. 7, 2023), Doc. 126.

[47] *See id.* at 2, 5-6 (requesting extension of hearing date because there were "fruitful discussions" about amendments during "required" prehearing meetings); Notice of Filing Am. Ex. A, Version 4 to Pet. (Oct. 6, 2023), Doc. 140; *see also* Vol. 5 Transcript of Proceedings 1873:3-6, No. 2022-3, (Albuquerque-Bernalillo Cnty. Air Quality Control Bd. Dec. 11, 2023) (stating EHD provided feedback on versions 2 and 3 of the petition during prehearing meetings). The Air Board's procedures build prehearing meetings into the normal petition process. *See Rulemaking Process Guidebook*, *supra* n.10, at 8. EHD admits it did not meaningfully engage with the community until these meetings. *See infra* p. 18.

[48] *See* Order Appointing Replacement Hearing Officer 2 (Sept. 15, 2023), Doc. 134.

[49] City of Albuquerque, *Legislation Details O-23-88* (last visited May 29, 2024), https://cabq.legistar.com/LegislationDetail.aspx?ID=6383471&GUID=A3C990D7-9746-40CA-B316-BA589E05C921&Options=ID%7CText%7C&Search=O-23-88; City of Albuquerque, *Legislation Details R-23-176* (last visited May 29, 2024), https://cabq.legistar.com/LegislationDetail.aspx?ID=6383569&GUID=BBA92D00-9CF5-47E5-9E94-0A159A9BDF3B&Options=ID%7cText%7c&Search=R-23-176.

resolution's enactment date until February 1, 2024, the Air Board could not consider any regulation that:

> address[ed] quality of life impacts absent scientific evidence that there is a nexus to air pollution by identifying the quantities and durations of air contaminants that may, with reasonable probability, cause injury; or adopt or amend a standard or regulation whereby the impact on industrial development is by design and not a consequence of preventing or abating air pollution . . . .

Albuquerque, N.M. Resolution R-2023-097 § 1. The resolution's preamble prejudged the petition's cumulative impacts rule as one such regulation—it declared that the petition "addresse[d] quality of life impacts" without a nexus to air pollution and had an "impact on industrial development by design and not as a consequence of preventing orabating air pollution"—despite the fact that the hearing would be an opportunity for the rule's proponents to present scientific and other evidence in support of the rule and explain the rule's origin and purpose. *Id.* at 1:9-19.

Not content to merely attack the ongoing proceedings, the City Council launched a broader assault on the Air Board to change its composition and strip it of power so it could never consider—let alone promulgate—anything like a cumulative impacts rule again. An amendment to the City's laws governing the Air Board proposed making several structural changes, including:

- **Rendering the current Air Board's composition invalid by creating new criteria for four of the seven seats.** *See* Albuquerque, N.M. Ordinance O-2023-029 § 2, at 6:21-7:7. The new criteria required one member to be a licensed engineer, one a physician, one a person involved at an institute of higher learning, and one from a "City industry" in a "private manufacturing concern." *Id.* If EHD unilaterally determined that the Air Board did not meet these composition requirements, the Air Board could not hear any petitions, permits, or appeals or make regulatory changes until both the City Council and County Commission agreed that the Board could act "consistent with applicable law." *Id.* § 2, at 8:2-16.
- **Forbidding the Air Board from taking any actions besides approving or disapproving regulations presented to it by outside parties while also increasing the barriers for public proposals.** Specifically, the Air Board could not "consider alternative proposals" at a hearing on a regulation and could make modifications that only "delete[], clarif[y] or elaborate[] on elements of the already-submitted proposal without adding or changing substantive new obligations or requirements." *Id.* § 2, at 15:27-30. At the same time, petitioners were required to bear the transcript

costs for hearings, and their soliciting insufficient feedback from other "interested persons" could be a basis for denying a hearing. *Id.* § 2, 15:3-4, 16:5-6. In addition, the Air Board could not "[r]ecommend" or "[a]dvise" EHD, the City Government, or the County government on air quality policy. *See id.* § 2, at 24:33-25:7.

- **Forbidding the Air Board from promulgating any "quality of life" regulations similar to those described in Resolution R-2023-097.** *See id.* § 2, at 24:18-24.

The City Council passed the resolution and ordinance on November 8, 2023, but Albuquerque Mayor Timothy Keller vetoed both.[50] The Mayor's veto statement characterized the ordinance as "disregard[ing] our obligations under state and federal law."[51]

Instead of heeding the Mayor's cautionary message, the City Council accused him of siding with "environmental extremists" and overrode his veto on the day the cumulative impacts rule hearings began—December 4, 2023.[52] The City Council thus enacted legislation changing the City's ordinances but did not—and could not—change the County's parallel code that reflected the two governments' previously agreed-to Air Board terms. Nonetheless, based on its resolution, the City Council sent the Air Board a cease and desist letter the next day, threatening to withhold resources the Air Board would need to continue the hearing.[53]

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[50] Legislation Details O-23-88 & R-23-176, *supra* n.49.

[51] Memorandum from Timothy M. Keller, Mayor of Albuquerque, to City Council re: Veto of R-23-176 (Nov. 22, 2023) (filed in rulemaking docket as Doc. 229.1) ("Mayor Veto Statement").

[52] *See* City of Albuquerque, Off. of City Councilor Dan Lewis, Dist. 5, *City Council Overrides Mayor's Vetoes* (Dec. 4, 2023), https://www.cabq.gov/council/find-your-councilor/district-5/news/city-council-overrides-mayor2019s-vetoes.

[53] Letter from Louie Sanchez et al., Albuquerque City Council, to Air Quality Control Board Members (Dec. 5, 2023), Doc. 222; *see also* City Ord. § 9-5-1-5(A) (stating the City would provide the Air Board with staff).

2. EHD opposes the cumulative impacts rule despite acknowledging some communities experienced disproportionate air pollution burdens and that it had no current procedures to evaluate or prevent disparate impact discrimination

After the Air Board filed a request for a temporary restraining order in state court, it received resources for space, security,[54] technology, and services for the hearing through December 11, 2023.[55] At the hearing, EHD's representative, Deputy Director of Air Quality Programs Christopher Albrecht, testified that the agency opposed the rule.[56] The Deputy Director acknowledged that EHD should have provided petitioners with feedback on the proposal earlier than the formal pre-hearing process.[57] He also admitted that EHD lacked procedures to analyze—let alone prevent—discriminatory impacts. When asked by one of the community member's lawyers on cross examination whether EHD had "any method of analyzing whether there was a discriminatory impact from its permitting processes," Deputy Director Albrecht admitted EHD lacked "formal procedures at this time."[58] And when asked whether EHD "ha[d] any . . . regulatory mechanism in place that would prevent discriminatory impact in air pollution permitting," Deputy Director Albrecht, in a moment of concise candor, said "no."[59]

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[54] The Air Board hearing required security in part due to threats of violence to individual Air Board members and their families. *See, e.g.*, Vol. 2 Transcript of Proceedings 718:10-14, No. 2022-3 (Albuquerque-Bernalillo Cnty. Air Quality Control Bd. Dec. 5, 2023) (testimony of Vice Chair Richards) ("I am very, very deeply disturbed by how [one of the City Council members] divided our community. . . . I fear for my family. I fear for my own life, and it was absolutely unnecessary.").

[55] *See* Final Order & Statement of Reasons for Adopting Reg. Concerning Health Envt. & Equity Impacts 3-4 ("Final Rule Order") (Dec. 19, 2023), Doc. 241. The Air Board withdrew its temporary restraining order application after the hearing's completion. *See id.* at 4.

[56] *See* EHD's Notice of Intent to Present Technical Testimony 1-2 (Nov. 17, 2023), Doc. 175.

[57] Vol. 5 Transcript of Proceedings, *supra* n.47, at 1876:16-24, 1877:5-11.

[58] Vol. 6 Transcript of Proceedings, at 1906:6-13, No. 2022-3, (Albuquerque-Bernalillo Cnty. Air Quality Control Bd. Dec. 11, 2023).

[59] *Id.* at 1906:15-19.

After the hearing's conclusion, EHD submitted a memorandum acknowledging that the petitioners "experienced a disproportionate burden from environmental stressors and that this burden needs to be addressed," but still opposing the community members' rule.[60] EHD claimed the rule did not represent an "inclusive path" for addressing these harms and—joining industry arguments—that the Air Board lacked legal authority to promulgate the rule because it was not "limited to the abatement of air pollution."[61]

EHD also claimed that EPA may need to approve the rule as part of the CAA review process and—without acknowledging EPA's ongoing Title VI investigation—raised the prospect of EPA disapproval as another reason to reject the rule.[62] Instead, EHD proposed that the Air Board adopt its July 2023 "concepts" that lacked meaningful triggers for mitigation or permit denials.[63]

E. The final Health, Environment, and Equity Impacts Rule

The Air Board issued a final cumulative impacts rule, titled the Health, Environment, and Equity Impacts Rule ("HEEI Rule"), on December 19, 2023.[64] The final HEEI Rule, if effectuated, provides a community-endorsed mechanism for EHD to consider unequal pollution burdens as part of its permitting decisions, as envisioned by the Draft Agreement.

The HEEI Rule requires EHD to create a map of "overburdened areas" to determine the degree of harm a new air permit or modification would have on the surrounding community. N.M. Admin. Code § 20.11.72.8.[65] The rule defines an "overburdened area" as the 20% census block groups that "experience the highest cumulative environmental and public health stressors" considering over a dozen different health, environmental, and socioeconomic factors. *Id.* § 20.11.72.7.D. These

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[60] *See* EHD's Legal Memo. 2, (Dec. 2, 2023), Doc. 229.

[61] *Id.*

[62] *Id.* at 3.

[63] *Id.* at 4; *see supra* pp. 13-14 (discussing concepts).

[64] N.M. Admin. Code Transmittal Form for N.M. Admin. Code § 20.11.72: Health Environment Equity Impacts (Dec. 28, 2023), Doc. 242.

[65] The text of the new rule is taken from the rule as transmitted to the New Mexico State Records Center and Archives. *See id.* at 22-23.

factors include indicators previously identified in the Draft Agreement as part of the screening analysis for air permitting decisions:

Draft Agreement Term[66]	**HEEI Rule Factors**
"[W]hether the community may be particularly vulnerable to any adverse effects of the proposed permitting action"	Adult asthma prevalence, pediatric asthma prevalence, Chronic Obstructive Pulmonary Disease prevalence in adults 18 years of age and older, cardiovascular disease prevalence among adults 18 years of age and older, age-adjusted cancer incidence per 100,000 population, persons with disabilities, and life expectancy.
"[W]hether the community is already disproportionately bearing public health or environmental burdens"	Annual average PM 2.5 levels, average top ten daily maximum 8-hour ozone concentrations, diesel particulate matter, annual toxic release in pounds, and traffic proximity and volume based on average daily traffic at major roads within 500 meters divided by distance in meters.
"[W]hether there are residents of the affected community who could be disproportionately subjected to adverse health, environmental and/or quality of life impacts on the basis of race, color, or national origin (including [limited English proficiency] status)"	Non-high school attainment at 25 years of age, total household income less than two-hundred percent of the federal poverty level, the percent of population over the age of five that speak a language other than English at home and who speak English less than "very well," and the percent of non-white residents including those who list their ethnicity as Hispanic or Latino.

The rule requires EHD to publish a map of overburdened areas by January 1, 2025. *Id.* § 20.11.72.8. EHD may adjust the map based on public comment before using it in permitting decisions starting July 1, 2025. *Id.*

To reduce the harms of additional pollution, the HEEI Rule mandates that any new or modified permit for a stationary source apply best available control technology

[66] *See* Draft Agreement, *supra* n.6, at 8.

if it is located or proposed to be located in or within a one-mile radius of an overburdened area. *See id.* § 20.11.72.8(C). The Air Board found this requirement would help "ensure that current pollution levels in Overburdened Areas are not exceeded and instead will promote a decline in pollution levels in Overburdened Areas over time."[67] The HEEI Rule also requires any source emitting hazardous air pollutants (as defined by the regulation) to apply best available control technology regardless of its location. *Id.* § 20.11.72.8(D).

Additionally, the HEEI Rule imposes new notice requirements on EHD. When EHD receives a permit application or modification for a stationary source in or within a one-mile radius of an overburdened area, it must provide notice to all individuals, neighborhood associations, and organizations who opt in and reside in or represent people in the area. *See id.* § 20.11.72.9(A).

Notwithstanding its salutary and essential requirements, the HEEI Rule is just a single commonsense step—the acknowledgment and incorporation of cumulative impacts into permitting decisions—on the path towards bringing Bernalillo County and Albuquerque into compliance with the law. The Air Board gave EHD and industry significant concessions. It opted to require best available control technology in overburdened communities rather than requiring EHD to deny permits as community members had requested in their revised petition.[68] The HEEI Rule also does not require EHD to determine whether there is a substantial justification for additional pollution in an overburdened community or consider a less discriminatory alternative as described in the Draft Agreement.[69] The Rule simply requires EHD to employ a data-based mechanism for incorporating cumulative impacts into permitting deliberation and decisions. This is a necessary step, but insufficient on its own to address the discriminatory concentrations of pollution in communities of color.

Despite the Air Board's concessions, there are serious concerns about whether EHD will provide meaningful relief for the overburdened communities that the Rule is meant to benefit. The Air Board and the Rule are in a state of flux. The Air Board is

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[67] N.M. Admin. Code Transmittal Form, *supra* n.64, at 6-7.

[68] *Compare id.* N.M. Admin Code § 20.11.72.8(C) (requiring best available control technology), *with* Notice of Filing Am. Ex. A, Version 4, *supra* n.47, at 17-19 (version community members submitted for hearing setting forth criteria for permit denials or requiring specific mitigation measures).

[69] *Compare* N.M. Admin. Code § 20.11.72.8, *supra* n.64, *with* Draft Agreement, *supra* n.*6*, at 9-10

seeking to vindicate its authority and challenge the City Council's unilateral actions.[70] Although on January 26, 2024, the trial court granted the Air Board a preliminary injunction to continue operations until a ruling on the merits, that action is still pending.[71] Sandia and other industry plaintiffs have filed petitions for review of the HEEI Rule in the New Mexico Court of Appeals.[72]

EHD has filed its own challenge to the HEEI Rule.[73] Although EHD missed its deadline to file a statement of issues, EHD does not need to actively thwart implementation of the Rule if others challenge it and there are no meaningful consequences from inaction. Meanwhile, communities on the ground continue to suffer under the status quo with little local recourse.

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[70] Docket Sheet, *Albuquerque-Bernalillo Cnty. Air Quality Control Bd. v. City of Albuquerque*, No. D-202-CV-202309295 (N.M. Distr. Ct. filed Dec. 5, 2023), *available at* https://caselookup.nmcourts.gov/caselookup/app (last visited May 29, 2024 by searching case number). Information on all other state court cases mentioned were also found looking at the Docket Sheets on New Mexico Case Lookup, which are also included as exhibits.

[71] *See* Order Granting Preliminary Injunctive Relief, Albuquerque Bernalillo County Air Quality Control Board v. City of Albuquerque, No. D-202-CV-2023-09295 (N.M. Distr. Ct. Feb. 1, 2024).

[72] Docket Sheet, *ABQ Asphalt, Inc. v. Albuquerque-Bernalillo Cnty. Air Quality Control Bd.*, No. A-1-CA-41673 (N.M. Ct. App. filed Jan. 26, 2024); Docket Sheet, *Nat'l Tech. & Eng'r Solutions Sandia, LLC v. Albuquerque-Bernalillo Cnty. Air Quality Control Bd.*, No. A-1-CA-41666 (N.M. Ct. App. filed Jan. 25, 2024). Industry also has a pending trial court case against the Air Board which also lacks a stay motion. *See* Docket Sheet, *GCC Rio Grande, Inc. v. Albuquerque-Bernalillo Cnty. Air Quality Control Bd.*, No. D-202-CV-202309435 (N.M. Dist. Ct. filed Dec. 11, 2023).

[73] *See* Docket Sheet, *Albuquerque Envt. Health Dep't v. Albuquerque-Bernalillo Cnty. Air Quality Control Bd.*, No. A-1-CA-41669 (N.M. Ct. App. filed Jan. 26, 2024). Although an EHD employee has told the Air Board about potential mapping plans, *see* Air Board, *Apr. 10, 2024 Meeting Minutes* 2 (approved May 9, 2024), https://www.cabq.gov/airquality/air-quality-control-board/documents/2024-04-10-aqcb-minutes-signed.pdf, EHD's actions undermine those statements; moreover, those statements do not guarantee that EHD will implement the mapping in a timely or methodologically sound way.

V. EHD's failure to provide a mechanism for detecting disparate impacts in its permitting decisions violates Title VI, especially in light of existing concentrations of pollution in communities of color

Nearly a decade has lapsed since EPA received the Title VI complaint regarding Albuquerque's air pollution control program. EHD still has not ensured it is not discriminating against communities of color through its permitting decisions. The disparate air pollution harm continues. The Air Board, the Mayor of Albuquerque, and EHD itself have acknowledged in the last year that the region's industrial air pollution remains concentrated in neighborhoods of color, limited English proficiency, or low income.[74] As the Mayor explained when he vetoed the City Council's assault on the Air Board, any rule considered by the Air Board must reduce the

> decades-long institutional practice of consolidating air quality-detracting industries in certain sections of the metro area, particularly in the South Valley. It is imperative that cumulative effects of pollution be considered and that any discrimination against the same low-income historic neighborhoods of color be reversed.[75]

Despite being on notice of this problem for at least a decade, EHD admits it still has no processes in place to ensure its permitting decisions do not cause or exacerbate disparate impact discrimination.[76] EHD purports that it can incorporate "equity and environmental justice concerns" into its decision-making separate from the Air Board, [77] yet it has done little to advance the non-binding measures it claims to prefer.[78] Instead, at every turn, EHD has resisted reforms that would prevent or diminish disparate

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[74] *See, e.g.*, EHD's Legal Memo., *supra* n.60, at 2 (acknowledging petitioners' communities "experienced a disproportionate burden from environmental stressors and that this burden needs to be addressed"); N.M. Admin. Code Transmittal Form, *supra* n.64, at 8 ("The technical evidence and public comment was clear that some communities are more burdened than others and that the communities in the South Valley, including Petitioners are overburdened.").

[75] Mayor Veto Statement, *supra*, n.51, at 3.

[76] *See* Vol. 6 Transcript of Proceedings, *supra* n.58, at 1906:6-19.

[77] *See* Excerpt of Letter from Off. of Albuquerque City Attorney to Lilian S. Dorka, Deputy Assistant Admin'r, EPA (Nov. 21, 2022), *attached to* Reply in Support of Supp. Mot. to Disqualify (Apr. 12, 2023), Doc. 37; *see also* Air Board Letter, *supra* n.3, at 2.

[78] *See* EHD's Notice of Envt. Justice Concepts Ex. A, *supra* n.39.

environmental and health impacts, from asking EPA to dismiss the 2014 Complaint[79] to opposing a separate community-led effort to promulgate a cumulative impacts rule[80]. Given these circumstances, it is unsurprising that the Air Board told EPA that "enforceable policy changes" are needed.[81]

The time for enforceable policy changes is now. Community members tried to advocate for themselves without EPA by proposing the cumulative impacts rule. Opponents (including the Albuquerque City Council) responded by trying to change the rules midstream, erect barriers to rulemaking petitions, and punish the Air Board for deigning to consider the petition. EHD appears to have been an active participant in the extraordinary and procedurally irregular blockade against a cumulative impacts rule. These facts raise the real and troubling possibility that EHD and the City Council have committed acts of intentional race discrimination. EPA must bring its power to bear to compel these recipients of federal funds to comply with federal law.

A. Communities of color in Albuquerque & Bernalillo County continue to suffer disproportionately from air pollution while EHD lacks a cumulative impacts rule

EHD's derelictions have real consequences on the ground. The relevant publicly available data show continuing disproportionate air pollution burdens and associated adverse health impacts in Albuquerque's communities of color. Comparing the 2022 numbers that EPA included in the Draft Agreement with data available on EPA's EJScreen as of May 28, 2024, the San Jose, Mountain View, and Greater Gardner neighborhoods—all of which have larger Hispanic or Latino and people of color populations compared to the rest of Bernalillo County, *see supra*, pp. 9-10—remain in the 74th percentile or higher for New Mexico in exposure to diesel particulate matter and asthma indices, with some measurements becoming worse. The situation in other communities of color is equally dire. Martineztown and the International District are both in the 90th percentile or higher in several measures of air pollution exposure and respiratory health problems.

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[79] *See* Air Board Letter, *supra* n.3, at 2.

[80] EHD's Response to the Petition, *supra* n.38, at ¶¶ 3, 12; EHD Legal Memo., *supra* n.60, at 2-4.

[81] Air Board Letter, *supra* n.3, at 2.

	San Jose	Mt. View	Greater Gardner	Martineztown	Int'l District
Percentile Diesel Particulate Matter in NM	93rd	74th	98th	98th	92nd
Percentile Air Toxics Cancer Risk in NM	87th	34th	87th	87th	87th
Percentile Respiratory Hazard Index in NM	90th	69th	90th	90th	90th
Ozone percentile in NM	63rd	63rd	66th	65th	70th
Asthma percentile in NM	79th	81st	79th	86th	90th
Low life expectancy percentile	91st	54th	81st	66th	96th

Table 2: Data from EPA's EJScreen of relevant air pollution and health indicators[82]

	San Jose & Mt. View	Greater Gardner	Martineztown	International District
All races/ethnicities	472.0	444.1	543.2	564.9
Hispanic or Latino	504.0	495.9	536.8	524.0
Black	460.4	460.9	922.5	733.6
Native American	248.3	452.6	632.9	296.1
White	377.8	368.0	508.8	626.1

Table 3: Death rate per 100,000 people by ethnicity from the New Mexico Center for Disease Control.[83]

Indeed, state-collected health data shows continuing poor health outcomes in communities of color and for specific populations in those communities. The New

[82] EPA, *EJScreen, EPA's Environmental Justice Screening and Mapping Tool (Version 2.2)*, https://ejscreen.epa.gov/mapper (last visited May 22, 2024) (reports generated by using the draw tool or "Select Multiple" and using census block numbers described in note 18for each neighborhood). Copies of the EJScreen Community Reports generated are available as Exhibits H-N.

[83] The New Mexico Center for Disease Control uses "small areas" instead of census block groups for its data analysis. Numbers for San Jose and Mountain View came from small area 7; Greater Gardner small area 19; Martineztown small area 8; and International District small area 1. N.M. Ctr. for Disease Control, *II-5 Chronic Disease Deaths, 2017 – BCCHC*, https://www.arcgis.com/home/item.html?id=a730afb44786482882df08c801e8ee57 (last visited May 24, 2024). Copies of the mortality rate data for each neighborhood are available in Exhibits R-U. This map was prepared by the Bernalillo Community Health

Mexico Center for Disease Control estimates that based on 2008-2017 data, the state's death rate from chronic disease is 416 per 100,000. By comparison, as shown below in Table 3, the mortality rates for Hispanic or Latino residents in San Jose, Mountain View, Greater Gardner, Martineztown, and the International District all exceed 495. In Martineztown and the International District, the mortality rate for Black residents exceeds 700.

Testimony at the rulemaking hearing further confirms the health harms experienced by residents of overburdened communities. For example, per the petitioners' expert witness, Bernalillo County's average ozone level is 65.64 parts per billion (ppb), which is above the exposure level (60 ppb) EPA says can decrease lung function.[84] Similarly, EPA recognized that cardiovascular mortality risks increase at concentrations of small particulate matter as low as 4.1 ppb—well below Bernalillo County's average of 5.94 ppb.[85] As petitioners' expert explained, "[r]eleases of toxic air contaminants or hazardous air pollutants are directly proportional to the health risks for a surrounding community."[86] Because overburdened communities in Bernalillo County face higher than County-average pollutant levels, they face greater health risks as well. It is disturbing, if unsurprising, that these neighborhoods are nearly all above average—and in many instances in the 80th percent or higher—for the state in cancer risk, respiratory health risk, and prevalence of respiratory illnesses like asthma. *See supra tbl.* 2.

B. Implementation of a cumulative impacts rule, including mapping overburdened communities, is necessary to bring EHD into compliance with Title VI, and to the extent the City of Albuquerque's law prohibits the implementation of such a rule, the City also violates Title VI

The Air Board's HEEI Rule is the sole measure promulgated by the Air Board that mandates concrete action by EHD to prevent disparate impact discrimination in its air permitting decisions. Specifically, it mandates the creation of an overburdened-communities map that would identify for the agency (and the public) the communities that suffer disproportionate environmental and health burdens. Then it would require

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Council. *See* Bernalillo Cmty. Health Council, *2019 Bernalillo County Community Health Profile* 7 (2020).

[84] Rebuttal Testimony of Dr. James Clark 26-28, Pets.' Rebuttal Testimony Ex. 1 (Dec. 1, 2023), Doc. 205. Per the testimony, this data came from EPA's 2019 AirToxScreen.

[85] *Id.* at 27, 29-30.

[86] *Id.* at 28.

permittees to install best available control technology if their project is situated in or near an overburdened community. These are common sense measures necessary to bring EHD into Title VI compliance, and yet the agency rejects them. Although EPA cannot adjudicate the validity of the Air Board's cumulative impacts rule, it can find that EHD is in violation of Title VI and that the agency must make binding, enforceable changes to its permitting program. Los Jardines and NRDC therefore request that EPA take the following three actions to bring EHD into compliance with Title VI:

1. EPA should find that EHD must implement a cumulative impacts rule. As described above, relying on EHD to self-correct has not led to meaningful changes in the agency's discriminatory practices. Nor has it abated air pollution in Bernalillo County's overburdened communities of color. Thus, EPA must go beyond the Draft Agreement's proposal of merely requiring that the Air Board *consider* a cumulative impacts resolution under its normal procedures—after all, the Air Board attempted to comply with this request, and polluters (with an all-too-willing City Council and EHD) responded by attempting to stop the rulemaking process and render the Air Board nearly powerless.

Only a finding by EPA that mandatory, systemic reforms—i.e., a regulation like the HEEI Rule—are necessary will make EHD, the City of Albuquerque, industry, and other federal agencies take seriously the obligation to stop polluting disproportionately in Bernalillo County's communities of color. An EPA finding that a regulation is necessary could break the current impasse. EHD might finally be motivated—and have the political cover—to petition the Air Board itself if it is concerned about the HEEI Rule but does not want to find itself in violation of Title VI.

A finding by EPA would also make clear that the City Council's changes to the Air Board's structure cannot stand if they prevent any rule from ever addressing cumulative impacts and disparate impact discrimination.

2. Even if EPA concludes that it lacks authority to require funding recipients to promulgate a particular regulation, it can—and should—require EHD to complete the overburdened-area map by January 1, 2025, and use the map in its decision-making process. This is similar to other concrete measures that EPA wanted EHD to undertake as part of the Draft Agreement. It neither imposes any obligations on permittees nor dictates the outcome of any permitting decision. An overburdened-area map would alert EHD to where pollution is concentrated and if certain neighborhoods have other characteristics that exacerbate the harmful effects of air pollution.

An overburdened-communities map whose underlying methodology EHD accepts would be valuable even without the HEEI Rule's best available control technology requirements. The map would make it harder for EHD to continue burying its head in the sand and force the agency to grapple with the full consequences of its permitting decisions. The map would also give overburdened communities an organizing tool that aligns with EPA's environmental justice goals: "A fundamental element of achieving . . . equity and justice is ensuring communities have the capacity they need to meaningfully engage government programs."[87] Communities could use the map to engage with EHD in its permitting decisions and advocate against additional pollution in their neighborhoods. This is consistent with the purposes of Title VI.

3. EPA should investigate whether EHD was complicit in the City Council's attempt to scuttle the cumulative impacts rule, and whether the City Council and/or EHD committed acts of intentional discrimination. Los Jardines and NRDC are not privy to communications between the City Council and EHD concerning their opposition to the HEEI Rule. The surrounding facts suggest that the two entities may have colluded to upend the proposed rule, in stark violation of their obligations under Title VI. While EPA's disparate impact regulations provide ample basis for EPA to impose each of the specific remedies described above, it is possible that unlawful intent to discriminate is also at play given the significant departures from regular procedures surrounding the HEEI Rule's promulgation. The City Council acted unilaterally without consulting Bernalillo County, whose ordinances previously paralleled the City's. *See supra* pp. 5-7. It also attempted to remove mid-rulemaking Air Board members it had previously approved.[88] Moreover, EHD departed from normal procedures by declining to offer direct testimony before the hearing.[89] EPA is in a unique position to investigate

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[87] EPA, *FY 2022-2026 EPA Strategic Plan* 30 (Mar. 2022), https://www.epa.gov/system/files/documents/2022-03/fy-2022-2026-epa-strategic-plan.pdf.

[88] *See* Mayor Veto Statement, *supra* n.51, at 2 (noting the City's Air Board members "were all confirmed by this Council" and "are qualified in law and spirit"); *see also* City Ord. § 9-5-1-3(B)(2) (authorizing the City's Air Board members to be appointed by the Mayor with City Council's "advice and consent").

[89] *Compare* EHD Notice, *supra* n. 56, at 2-3 (explaining EHD would provide Deputy Director Albrecht for cross-examination in lieu of submitting written direct testimony), *with* Rulemaking Process Guidance, *supra* n.10, at 8 (describing procedures for technical testimony at an Air Board hearing including providing a "copy of the direct testimony of each technical witness").

the real possibility of intentional discrimination and to respond appropriately to the facts it finds.

* * *

In seeking this relief, complainants recognize some complexity as EPA proceeds. Two sister federal agencies with development interests of their own opposed the HEEI Rule. The HEEI Rule itself is under challenge in New Mexico state court. The 2014 Complaint remains pending. And the legality of EPA's disparate impacts regulations under Title VI is under attack in federal court. None of these factors should keep EPA from acting promptly here.

If a disproportionate amount of harmful air pollution is spewing into lower-income communities of color around Bernalillo County, for Title VI purposes it should not matter whether the polluter is a private industry or a federal agency. The discriminatory impact on the already overburdened community is the same. Nor should the state court challenges to the HEEI Rule impede EPA. Los Jardines and NRDC are not asking EPA to order EHD to implement the HEEI Rule or any specific regulation. Rather, we seek a requirement to map overburdened communities, detect disparate impacts, and then factor such impacts into air permitting decisions. Los Jardines and NRDC believe this is what federal law requires. This result can (and must) be achieved whether the HEEI Rule is sustained or nullified in state court. Notably, state court appeals in New Mexico often take years to be resolved.[90] It is unfair to make these communities wait longer than they already have for a remedy to a manifest injustice.

The pendency of the 2014 Complaint is not a reason to delay; to the contrary, it adds to this complaint's urgency. Harmful and disproportionate air pollution has existed for a long time in Bernalillo County. It started with acts of intentional discrimination in housing. It continues to this day, with pollution and attendant health harms not improving, and by some measures deteriorating since 2014. Ten years is long enough for these communities to wait. If it would be duplicative or unhelpful to

[90] *See* Ike Swetlitz, *New Mexico Court of Appeals is swamped with backlogged cases, leaving hundreds in limbo*, Las Cruces Sun News (Feb. 22, 2020), https://www.lcsun-news.com/story/news/2020/02/23/full-court-pressed-new-mexico-court-appeals-severely-backlogged/4835723002/ (showing the average time it took to calendar a case was 142 days).

consider our complaint separately from the 2014 Complaint, EPA may consolidate them and resolve them together.

Finally, the recent Title VI court decision in Louisiana does not apply here.[91] Los Jardines and NRDC understand EPA to have agreed not to pursue Title VI disparate impact claims against Louisiana environmental authorities but otherwise to stand by its existing regulations. Those regulations remain the law in New Mexico.

As a suite of federal agencies, including EPA's Office of External Civil Rights Compliance, reaffirmed earlier this month, "Environmental justice is a public health issue, and our civil rights laws should ensure that all communities—no matter your race or zip code—are safe and free from environmental hazards. . . . . [C]ommunities of color have historically been subject to environmental injustice and deserve the full attention of the federal government through the enforcement of our laws to be free from discrimination."[92] We agree.

VI. As an alternative to a formal Title VI remedy, EPA should conduct a compliance review of EHD

Separate from investigating Title VI Complaints, EPA's External Civil Rights Compliance Office periodically conducts its own "compliance reviews" of EPA grant recipients. *See* 40 C.F.R § 7.115(a). EPA's 2022-2026 Strategic Plans set a goal of completing 45 compliance reviews.[93] Absent formal actions pursuant to Title VI, we urge EPA to conduct such a review of the Albuquerque EHD.

EPA has published criteria for prioritizing and selecting award recipients for affirmative compliance reviews. These criteria include trends in the recipient's noncompliance; the strategic significance of the issue to EPA's priorities; recipient and

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[91] *Louisiana v. U.S. EPA*, No. 2:23-CV-00692, 2024 WL 250798 (W.D. La. Jan. 23, 2024).

[92] U.S. Dep't of Just., *Five Federal Departments Join Justice Department in Reaffirming Shared Commitment to Uphold Civil Rights Laws and Advance Environmental Justice* (May 6, 2024), https://www.justice.gov/opa/pr/five-federal-departments-join-justice-department-reaffirming-shared-commitment-uphold-civil#:~:text=The%20Justice%20Department's%20Civil%20Rights,Civil%20Rights%20Compliance;%20Department%20of.

[93] EPA has also set a target of conducting 55% of its annual inspections at facilities that affect communities with potential environmental justice concerns (objective 3.2). EPA, *FY 2022-2026 EPA Strategic Plan*, *supra* n.87, at 37, 44.

community characteristics; opportunity for EPA collaboration; and the recipient's history.[94] These criteria favor EPA conducting a compliance review of EHD.

A. Albuquerque and Bernalillo County's size, pollution levels, demographics, and history favor a compliance review

Several factors that EPA considers when determining whether to conduct a compliance review go to the likelihood of discrimination and the number of people affected. The likelihood of discrimination is high in Bernalillo County, where there are "current land use patterns with a nexus to prior discriminatory practices that have not been fully ameliorated—including, but not limited to, redlining and other forms of segregation."[95] As described in Section IV.A, Albuquerque has a deep-seated history of racial segregation whose impacts are still felt today.

EPA also looks at the demographic makeup of the recipient's jurisdiction, including whether it includes "communities of color."[96] Compared to the United States as a whole, Albuquerque and Bernalillo County both have proportionately large percentages of people of color (63% for both, compared to 39% for the United States).[97] As EPA's prioritization document acknowledges, communities of color often experience disproportionate adverse impacts from pollution.[98] By having a large population of people of color, Bernalillo County also has a large number of people who may be particularly vulnerable to air pollution.

Bernalillo County also meets the "high levels of pollution"[99] criterion. EPA's EJScreen shows that Bernalillo County is overburdened when compared to the rest of New Mexico.[100] Moreover, the American Lung Association currently grades Bernalillo

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[94] EPA External Civ. Rts. Compliance Off., *Process and Criteria for Prioritizing and Selecting Affirmative Compliance Reviews* 3-5 (Jan. 6, 2022), https://www.epa.gov/system/files/documents/2022-01/01-06-20-ecrco-process-for-prioritizing-and-selecting-affirmative-compliance-reviews.pdf.

[95] *Id.* at 4.

[96] *Id.*

[97] *See* EPA, EJScreen Community Reports for Albuquerque and Bernalillo County (downloaded Apr. 30, 2024). Copies of these reports are available as Exhibits H and I.

[98] *See Process and Criteria*, *supra* n.94, at 4.

[99] *Id.*

[100] *See* Clark Rebuttal Testimony, *supra* n.84, at 4-5; EPA, Bernalillo County EJScreen Report, *supra* n.77 (generated using "Select County" function) (showing Bernalillo

County as an "F" in all three categories it evaluates: ground level ozone, 24-hour concentrations of fine particulate matter (i.e., the number of days fine particulate matter concentrations are unhealthy), and annual average fine particulate concentrations.[101] Only 30 counties nationwide (out of 3,143 evaluated) failed in all three categories.[102] Not only is Bernalillo County failing, its annual average number of high ozone and particulate matter days has trended upward the past six years after improvements during the early 2010s.[103] These characteristics of the area EHD regulates favor a compliance review.

B. EHD has a history of failing to comply with civil rights laws

EPA also considers the nature and number of past and pending civil rights complaints against the recipient; whether there are findings and recommendations from prior reviews and investigations that are not resolved or implemented; and preexisting disadvantages from prior discriminatory practices that have not been fully ameliorated.[104] These factors all weigh heavily in favor of review.

EHD's history of failing to comply with Title VI is well documented. *See supra* pp. 11-13. During the ten-year period since the initial Title VI complaint, EHD has not implemented any systemic measures to detect, let alone prevent, disparate impact discrimination.[105] Although EHD addressed a few of EPA's recommendations from the Draft Agreement, as the Air Board noted, some of these initiatives "were not spearheaded by EHD,"[106] and EPA's principal recommendation—the screening mechanism for disparate impacts—remains in a state of flux due to the chaos around, and EHD's opposition to, the HEEI Rule.

C. Providing EHD with tools to comply with Title VI, including means of evaluating cumulative impacts, aligns with EPA's strategic priorities

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County is above the 70th percentile in the state for particulate matter, diesel particulate matter, toxic release to air, and traffic proximity).

[101] Am. Lung Ass'n, *supra* n.1.

[102] Am. Lung Ass'n, *State of the Air 2024,* at 25 (2024), https://www.lung.org/getmedia/dabac59e-963b-4e9b-bf0f-73615b07bfd8/State-of-the-Air-2024.pdf.

[103] Am. Lung Ass'n, *supra* n.1.

[104] *Process and Criteria*, *supra* n.94 at 4-5.

[105] *See* Vol. 6 Transcript of Proceedings, *supra* n.58, at 1906:6-19.

[106] Air Board Letter, *supra* n.3, at 2.

A compliance review of EHD would provide EPA with an opportunity to create a model for other permitting authorities to incorporate cumulative impacts into their decisions. When deciding whether to conduct a compliance review, EPA considers the "[o]pportunity for EPA to collaborate with recipients to ensure that new state or local environmental initiatives comply with Title VI" and the "[o]pportunity for collaboration because a recipient is taking an action related to an emerging issue . . . that is part of a national trend likely to be followed by other jurisdictions."[107] Both of these factors are present here.

EPA has ample opportunity to collaborate with EHD because, simply put, EHD has no program currently in place to account for disparate impact discrimination from air pollution.[108] EPA therefore can assist EHD to build a program from the ground up to comply with Title VI. This could include, as described above, providing technical assistance to help EHD map overburdened areas by census block group based on environmental, public health, and demographic data by January 1, 2025.

EPA has already highlighted the consideration of cumulative impacts as an important legal tool for advancing its environmental justice goals—thus, ensuring EHD implements a cumulative impacts rule that is "related to an emerging issue" and is "likely to be followed by other jurisdictions."[109] In January 2023, EPA's Office of General Counsel published an Addendum to its Environmental Justice Legal Tools focused specifically on its "legal authority to address cumulative impacts affecting communities with environmental justice concerns."[110] Although EPA's addendum is focused on actions EPA itself can take, much of the CAA is implemented by states.[111] By showing states how they can incorporate cumulative impacts into their programs, EPA will advance its own environmental justice goals. Much of the state and local government work on cumulative impacts has occurred in the last decade.[112] Even then,

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[107] *Process and Criteria*, *supra* n.94 at 4.

[108] *See* Vol. 6 Transcript of Proceedings, *supra* n.58, at 1906:6-19.

[109] *Process and Criteria*, *supra* n.94 at 4.

[110] EPA Off. of Gen. Counsel, *Legal Tools to Advance Environmental Justice: Cumulative Impacts Addendum* 1 (Jan. 2023), https://www.epa.gov/system/files/documents/2022-12/bh508-Cumulative%20Impacts%20Addendum%20Final%202022-11-28.pdf.

[111] *See supra* p. 5.

[112] Tishman Env't. & Design Ctr., *Understanding the Evolution of Cumulative Impacts: Definitions and Policies in the U.S.* 5 (May 24, 2022),

these tools tend to be purely informational while "the application of these tools to environmental decision-making, such as permitting, has been less prevalent."[113] A successful intervention in Bernalillo County by EPA could provide a template for the next crucial step in environmental justice by ensuring regulators not only have good information on cumulative impacts but use that information in their permitting decisions to benefit communities on the ground.

Finally, intervening in Bernalillo County and Albuquerque would provide EPA with an opportunity to defend its definition of "cumulative impacts." The City Council seems to think that because the HEEI Rule considers factors besides air pollution in defining overburdened communities, the rule "address[es] quality of life impacts absent scientific evidence that there is a nexus to air pollution by identifying the quantities and durations of air contaminants that may, with reasonable probability, *cause injury*." *See* Albuquerque, N.M. Resolution R-2023-097 § 1 (emphasis added); *see also* Albuquerque, N.M. Ordinance O-2023-029 § 2, at 24:18-24. But EPA has recognized demographic factors such as preexisting health conditions and diseases, access to health care, and socioeconomic status can compound over time and affect the probability additional pollutants will "cause injury" to someone.[114] By defending the Air Board's cumulative impacts rule (or prompting adoption of another similar measure), EPA will also be defending regulators' authority to use a definition of "cumulative impacts" to produce the public good that lies at the root of both the CAA and Title VI.

We urge EPA to conduct a searching review of EHD's compliance with Title VI, including but not limited to its role in the City Council's efforts to dismember the Air Board and obstruct enactment of a cumulative impacts rule.

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https://static1.squarespace.com/static/5d14dab43967cc000179f3d2/t/630637a79481bf24cac9f19e/1661351847644/CumulativeImpacts_REPORT_FINAL_Aug2022.pdf.

[113] *Id.*

[114] *See, e.g.*, EPA, *Cumulative Impacts Research: Recommendations for EPA's Office of Research And Development* 4-5 (2022), https://www.epa.gov/system/files/documents/2022-09/Cumulative%20Impacts%20Research%20Final%20Report_FINAL-EPA%20600-R-22-014a.pdf (defining "cumulative impacts" as "the totality of exposures to combinations of chemical *and non-chemical stressors* and their effects on health, well-being, and quality of life outcomes" and noting "[c]umulative impacts characterize the potential state of vulnerability or resilience of a community") (emphasis added)).

VII. Conclusion

These are the essential facts: Within Bernalillo County, communities of color suffer disproportionate air pollution and adverse health impacts, traceable to a long history of discriminatory housing and air permitting. At present, ten years after a Title VI complaint to remedy this problem was filed, EHD has no mechanism to detect or determine whether an air permitting decision it makes will exacerbate or reduce that disparate impact. This is both unlawful and unjust. Six months ago, the City Council and EHD actively opposed the Air Board's attempt to remedy the injustice and comply with federal law. The long and pernicious history of air permitting in Bernalillo County suggests that there will be no remedy without EPA's intervention. That is what we seek in this complaint.

For the reasons set forth above, Los Jardines Institute and NRDC respectfully request that EPA accept this complaint, consider it on its own or consolidate it with the pending 2014 Complaint, and investigate EHD and the City Council for violations of Title VI. Specifically, we ask that EPA:

- Find that EHD is in violation of Title VI for failing in its air permitting program to prevent disparate impacts based on race;
- Find that to comply with Title VI, EHD must implement a cumulative impacts rule and apply it in its air permitting decisions;
- Require EHD to complete a data-based overburdened-areas map by January 1, 2025; and
- Investigate whether the City Council and EHD have committed acts of intentional race discrimination.

In the alternative, toward similar ends, we request that EPA conduct a compliance review of EHD.

We would be happy to meet with you to discuss the substance of this complaint.

Respectfully submitted,

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/s/ Richard Moore

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Exhibit List

Exhibit A – Census, American Community Survey Data, Albuquerque

Exhibit B – Census, American Community Survey Data, Bernalillo County

Exhibit C – Census, American Community Survey Data, Greater Gardner

Exhibit D – Census, American Community Survey Data, Martineztown

Exhibit E – Census, American Community Survey Data, Mountain View

Exhibit F – Census, American Community Survey Data, New Mexico

Exhibit G – Census, American Community Survey Data, San Jose

Exhibit H – EPA, EJScreen Community Reports for Albuquerque

Exhibit I – EPA, EJScreen Community Reports for Bernalillo County

Exhibit J – EPA, EJScreen Community Reports for Greater Gardner

Exhibit K – EPA, EJScreen Community Reports for the International District

Exhibit L – EPA, EJScreen Community Reports for Martineztown

Exhibit M – EPA, EJScreen Community Reports for Mountain View

Exhibit N – EPA, EJScreen Community Reports for San Jose

Exhibit O – EPA, Facility Search – Enforcement and Compliance Data – All Media, Bernalillo County

Exhibit P – EPA, Facility Search – Enforcement and Compliance Data – Air (CAA), Bernalillo County

Exhibit Q – Census, American Community Survey Data, Albuquerque Population by Zip Code

Exhibit R – N.M. Ctr. for Disease Control, II-5 Chronic Disease Deaths, 2017, Small Area 19

Exhibit S – N.M. Ctr. for Disease Control, II-5 Chronic Disease Deaths, 2017, Small Area 1

Exhibit T – N.M. Ctr. for Disease Control, II-5 Chronic Disease Deaths, 2017, Small Area 8

Exhibit U – N.M. Ctr. for Disease Control, II-5 Chronic Disease Deaths, 2017, Small Area 7

Exhibit A

Hispanic or Latino Origin by Race

United States® Census Bureau

Note: The table shown may have been modified by user selections. Some information may be missing.

DATA NOTES	
TABLE ID:	B03002
SURVEY/PROGRAM:	American Community Survey
VINTAGE:	2022
DATASET:	ACSDT5Y2022
PRODUCT:	ACS 5-Year Estimates Detailed Tables
UNIVERSE:	Total population
MLA:	U.S. Census Bureau. "Hispanic or Latino Origin by Race." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B03002, 2022, https://data.census.gov/table/ACSDT5Y2022.B03002?t=Race and Ethnicity&g=160XX00US3502000. Accessed on April 29, 2024.
FTP URL:	None
API URL:	https://api.census.gov/data/2022/acs/acs5
USER SELECTIONS	
GEOS	Albuquerque city, New Mexico
TOPICS	Race and Ethnicity
EXCLUDED COLUMNS	None
APPLIED FILTERS	None
APPLIED SORTS	None
PIVOT & GROUPING	
PIVOT COLUMNS	None
PIVOT MODE	Off
ROW GROUPS	None
VALUE COLUMNS	None
WEB ADDRESS	https://data.census.gov/table/ACSDT5Y2022.B03002?t=Race%20and%20Ethnicity&g=160XX00US3502000
TABLE NOTES	
	Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.
	Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.
	Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

	Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.
	The Hispanic origin and race codes were updated in 2020. For more information on the Hispanic origin and race code changes, please visit the American Community Survey Technical Documentation website.
	The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.
	Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.
	Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.
COLUMN NOTES	None

Table: ACSDT5Y2022.B03002

	Albuquerque city, New Mexico		
Label	**Estimate**	**Margin of Error**	**%**
Total:	562,551	±69	
Not Hispanic or Latino:	282,570	±1,893	
White alone	208,208	±2,178	37%
Black or African American alone	14,591	±791	
American Indian and Alaska Native alone	21,462	±1,063	
Asian alone	16,530	±791	
Native Hawaiian and Other Pacific Islander alone	345	±114	
Some other race alone	3,214	±856	
Two or more races:	18,220	±1,787	
Two races including Some other race	3,483	±1,336	
Two races excluding Some other race, and three or more races	14,737	±926	
Hispanic or Latino:	279,981	±1,889	50%
White alone	132,978	±4,321	
Black or African American alone	3,205	±724	
American Indian and Alaska Native alone	5,601	±979	
Asian alone	927	±362	
Native Hawaiian and Other Pacific Islander alone	219	±162	
Some other race alone	53,200	±2,991	
Two or more races:	83,851	±3,979	
Two races including Some other race	72,844	±4,132	
Two races excluding Some other race, and three or more races	11,007	±1,481	
People of Color			63%

Exhibit B

Hispanic or Latino Origin by Race

Note: The table shown may have been modified by user selections. Some information may be missing.

DATA NOTES	
TABLE ID:	B03002
SURVEY/PROGRAM:	American Community Survey
VINTAGE:	2022
DATASET:	ACSDT5Y2022
PRODUCT:	ACS 5-Year Estimates Detailed Tables
UNIVERSE:	Total population
MLA:	U.S. Census Bureau. "Hispanic or Latino Origin by Race." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B03002, 2022, https://data.census.gov/table/ACSDT5Y2022.B03002?t=Race and Ethnicity&g=050XX00US35001. Accessed on April 29, 2024.
FTP URL:	None
API URL:	https://api.census.gov/data/2022/acs/acs5
USER SELECTIONS	
GEOS	Bernalillo County, New Mexico
TOPICS	Race and Ethnicity
EXCLUDED COLUMNS	None
APPLIED FILTERS	None
APPLIED SORTS	None
PIVOT & GROUPING	
PIVOT COLUMNS	None
PIVOT MODE	Off
ROW GROUPS	None
VALUE COLUMNS	None
WEB ADDRESS	https://data.census.gov/table/ACSDT5Y2022.B03002?t=Race%20and%20Ethnicity&g=050XX00US35001
TABLE NOTES	
	Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.
	Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.
	Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

	Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.
	The Hispanic origin and race codes were updated in 2020. For more information on the Hispanic origin and race code changes, please visit the American Community Survey Technical Documentation website.
	The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.
	Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.
	Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.
COLUMN NOTES	None

Table: ACSDT5Y2022.B03002

	Bernalillo County, New Mexico		
Label	**Estimate**	**Margin of Error**	**%**
Total:	674,692	*****	
Not Hispanic or Latino:	332,331	*****	
White alone	247,873	±1,420	37%
Black or African American alone	15,933	±707	
American Indian and Alaska Native alone	26,351	±736	
Asian alone	17,506	±657	
Native Hawaiian and Other Pacific Islander alone	378	±101	
Some other race alone	3,703	±881	
Two or more races:	20,587	±1,785	
Two races including Some other race	3,887	±1,355	
Two races excluding Some other race, and three or more races	16,700	±972	
Hispanic or Latino:	342,361	*****	51%
White alone	158,776	±5,129	
Black or African American alone	3,444	±737	
American Indian and Alaska Native alone	6,829	±1,123	
Asian alone	1,011	±361	
Native Hawaiian and Other Pacific Islander alone	219	±162	
Some other race alone	67,245	±3,487	
Two or more races:	104,837	±4,360	
Two races including Some other race	92,268	±4,498	
Two races excluding Some other race, and three or more races	12,569	±1,556	
People of Color			63%

Exhibit C

Hispanic or Latino Origin by Race

United States Census Bureau

Note: The table shown may have been modified by user selections. Some information may be missing.

DATA NOTES	
TABLE ID:	B03002
SURVEY/PROGRAM:	American Community Survey
VINTAGE:	2022
DATASET:	ACSDT5Y2022
PRODUCT:	ACS 5-Year Estimates Detailed Tables
UNIVERSE:	Total population
MLA:	U.S. Census Bureau. "Hispanic or Latino Origin by Race." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B03002, 2022, https://data.census.gov/table/ACSDT5Y2022.B03002?g=1500000US350010032011,350010032021,350010032023,350010
FTP URL:	None
API URL:	https://api.census.gov/data/2022/acs/acs5
USER SELECTIONS	
GEOS	Block Group 4; Census Tract 32.02; Bernalillo County; New Mexico; Block Group 3; Census Tract 32.02; Bernalillo County; New Mexico; Block Group 1; Census Tract 32.02; Bernalillo County; New Mexico; Block Group 1; Census Tract 32.01; Bernalillo County; New Mexico
EXCLUDED COLUMNS	None
APPLIED FILTERS	None
APPLIED SORTS	None
PIVOT & GROUPING	
PIVOT COLUMNS	None
PIVOT MODE	Off
ROW GROUPS	None
VALUE COLUMNS	None
WEB ADDRESS	https://data.census.gov/table/ACSDT5Y2022.B03002?g=1500000US350010032011,350010032021,350010032023,350010032024
TABLE NOTES	
	Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.
	Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.
	Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

	Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.
	The Hispanic origin and race codes were updated in 2020. For more information on the Hispanic origin and race code changes, please visit the American Community Survey Technical Documentation website.
	The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.
	Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.
	Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.
COLUMN NOTES	None

	Block Group 1; Census Tract 32.01; Bernalillo County; New Mexico		Block Group 1; Census Tract 32.02; Bernalillo County; New Mexico		Block Group 3; Cens Bernalillo County; N
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**	**Estimate**
Total:	2,121	±472	1,618	±465	1,236
Not Hispanic or Latino:	897	±319	607	±329	606
White alone	749	±285	467	±293	606
Black or African American alone	43	±56	0	±13	0
American Indian and Alaska Native alone	9	±15	74	±102	0
Asian alone	0	±13	14	±22	0
Native Hawaiian and Other Pacific Islander alone	0	±13	0	±13	0
Some other race alone	24	±38	0	±13	0
Two or more races:	72	±66	52	±64	0
Two races including Some other race	9	±16	51	±64	0
Two races excluding Some other race, and three or more races	63	±63	1	±3	0
Hispanic or Latino:	1,224	±279	1,011	±496	630
White alone	476	±208	498	±282	432
Black or African American alone	0	±13	0	±13	0
American Indian and Alaska Native alone	9	±17	0	±13	0
Asian alone	0	±13	0	±13	0
Native Hawaiian and Other Pacific Islander alone	0	±13	0	±13	0
Some other race alone	483	±204	315	±331	0
Two or more races:	256	±221	198	±179	198
Two races including Some other race	247	±214	150	±115	164
Two races excluding Some other race, and three or more races	9	±25	48	±78	34
People of Color					

	us Tract 32.02; lew Mexico	Block Group 4; Census Tract 32.02; Bernalillo County; New Mexico			
Label	**Margin of Error**	**Estimate**	**Margin of Error**	**Total**	**%**
Total:	±576	590	±168	5565	
Not Hispanic or Latino:	±445	255	±115		
White alone	±445	152	±82	1974	
Black or African American alone	±13	65	±71		
American Indian and Alaska Native alone	±13	3	±8		
Asian alone	±13	0	±13		
Native Hawaiian and Other Pacific Islander alone	±13	0	±13		
Some other race alone	±13	24	±39		
Two or more races:	±13	11	±23		
Two races including Some other race	±13	0	±13		
Two races excluding Some other race, and three or more races	±13	11	±23		
Hispanic or Latino:	±396	335	±171	3200	58%
White alone	±437	63	±63		
Black or African American alone	±13	0	±13		
American Indian and Alaska Native alone	±13	84	±82		
Asian alone	±13	0	±13		
Native Hawaiian and Other Pacific Islander alone	±13	0	±13		
Some other race alone	±13	41	±43		
Two or more races:	±173	147	±151		
Two races including Some other race	±173	136	±152		
Two races excluding Some other race, and three or more races	±34	11	±19		
People of Color				3591	65%

Exhibit D

Hispanic or Latino Origin by Race

United States Census Bureau

Note: The table shown may have been modified by user selections. Some information may be missing.

DATA NOTES	
TABLE ID:	B03002
SURVEY/PROGRAM:	American Community Survey
VINTAGE:	2022
DATASET:	ACSDT5Y2022
PRODUCT:	ACS 5-Year Estimates Detailed Tables
UNIVERSE:	Total population
MLA:	U.S. Census Bureau. "Hispanic or Latino Origin by Race." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B03002, 2022, https://data.census.gov/table/ACSDT5Y2022.B03002?g=1500000US350010020001,350010020002. Accessed on April 30,
FTP URL:	None
API URL:	https://api.census.gov/data/2022/acs/acs5
USER SELECTIONS	
GEOS	Block Group 1; Census Tract 20; Bernalillo County; New Mexico; Block Group 2; Census Tract 20; Bernalillo County; New Mexico
EXCLUDED COLUMNS	None
APPLIED FILTERS	None
APPLIED SORTS	None
PIVOT & GROUPING	
PIVOT COLUMNS	None
PIVOT MODE	Off
ROW GROUPS	None
VALUE COLUMNS	None
WEB ADDRESS	https://data.census.gov/table/ACSDT5Y2022.B03002?g=1500000US350010020001,350010020002
TABLE NOTES	
	Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.
	Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.
	Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

	Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.
	The Hispanic origin and race codes were updated in 2020. For more information on the Hispanic origin and race code changes, please visit the American Community Survey Technical Documentation website.
	The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.
	Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.
	Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.
COLUMN NOTES	None

Table: ACSDT5Y2022.B03002

	Block Group 1; Census Tract 20; Bernalillo County; New Mexico		Block Group 2; Census Tract 20; Bernalillo County; New Mexico			
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**	**Total**	**%**
Total:	1,132	±303	1,336	±541	2468	
Not Hispanic or Latino:	623	±268	312	±149		
White alone	218	±118	280	±148	498	20%
Black or African American alone	24	±37	32	±32		
American Indian and Alaska Native alone	114	±138	0	±13		
Asian alone	106	±122	0	±13		
Native Hawaiian and Other Pacific Islander alone	0	±13	0	±13		
Some other race alone	0	±13	0	±13		
Two or more races:	161	±119	0	±13		
Two races including Some other race	14	±21	0	±13		
Two races excluding Some other race, and three or more races	147	±122	0	±13		
Hispanic or Latino:	509	±239	1,024	±541	1533	62%
White alone	192	±121	620	±442		
Black or African American alone	0	±13	0	±13		
American Indian and Alaska Native alone	0	±13	19	±19		
Asian alone	0	±13	0	±13		
Native Hawaiian and Other Pacific Islander alone	0	±13	0	±13		
Some other race alone	124	±93	159	±206		
Two or more races:	193	±198	226	±140		
Two races including Some other race	193	±198	170	±129		
Two races excluding Some other race, and three or more races	0	±13	56	±85		
People of Color					1970	80%

Exhibit E

Hispanic or Latino Origin by Race

Note: The table shown may have been modified by user selections. Some information may be missing.

DATA NOTES	
TABLE ID:	B03002
SURVEY/PROGRAM:	American Community Survey
VINTAGE:	2022
DATASET:	ACSDT5Y2022
PRODUCT:	ACS 5-Year Estimates Detailed Tables
UNIVERSE:	Total population
MLA:	U.S. Census Bureau. "Hispanic or Latino Origin by Race." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B03002, 2022, https://data.census.gov/table/ACSDT5Y2022.B03002?g=1500000US350010040011,350010040012,350010040013.
FTP URL:	None
API URL:	https://api.census.gov/data/2022/acs/acs5
USER SELECTIONS	
GEOS	Block Group 2; Census Tract 40.01; Bernalillo County; New Mexico; Block Group 3; Census Tract 40.01; Bernalillo County; New Mexico; Block Group 1; Census Tract 40.01; Bernalillo County; New Mexico
EXCLUDED COLUMNS	None
APPLIED FILTERS	None
APPLIED SORTS	None
PIVOT & GROUPING	
PIVOT COLUMNS	None
PIVOT MODE	Off
ROW GROUPS	None
VALUE COLUMNS	None
WEB ADDRESS	https://data.census.gov/table/ACSDT5Y2022.B03002?g=1500000US350010040011,350010040012,350010040013
TABLE NOTES	
	Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.
	Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.
	Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

	Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.
	The Hispanic origin and race codes were updated in 2020. For more information on the Hispanic origin and race code changes, please visit the American Community Survey Technical Documentation website.
	The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.
	Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.
	Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.
COLUMN NOTES	None

Table: ACSDT5Y2022.B03002

	Block Group 1; Census Tract 40.01; Bernalillo County; New Mexico		Block Group 2; Census Tract 40.01; Bernalillo County; New Mexico	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
Total:	888	±386	1,323	±493
Not Hispanic or Latino:	333	±166	287	±157
White alone	302	±164	282	±156
Black or African American alone	6	±11	0	±13
American Indian and Alaska Native alone	13	±24	0	±13
Asian alone	0	±13	0	±13
Native Hawaiian and Other Pacific Islander alone	0	±13	0	±13
Some other race alone	0	±13	0	±13
Two or more races:	12	±20	5	±10
Two races including Some other race	0	±13	0	±13
Two races excluding Some other race, and three or more races	12	±20	5	±10
Hispanic or Latino:	555	±341	1,036	±443
White alone	525	±339	433	±352
Black or African American alone	0	±13	0	±13
American Indian and Alaska Native alone	0	±13	9	±22
Asian alone	0	±13	0	±13
Native Hawaiian and Other Pacific Islander alone	0	±13	0	±13
Some other race alone	0	±13	406	±272
Two or more races:	30	±44	188	±190
Two races including Some other race	16	±23	174	±191
Two races excluding Some other race, and three or more races	14	±22	14	±19
People of Color				

Table: ACSDT5Y2022.B03002

	Block Group 3; Census Tract 40.01; Bernalillo County; New Mexico			
Label	**Estimate**	**Margin of Error**	**Total**	**%**
Total:	751	±279	2962	
Not Hispanic or Latino:	286	±202		
White alone	286	±202	870	
Black or African American alone	0	±13		
American Indian and Alaska Native alone	0	±13		
Asian alone	0	±13		
Native Hawaiian and Other Pacific Islander alone	0	±13		
Some other race alone	0	±13		
Two or more races:	0	±13		
Two races including Some other race	0	±13		
Two races excluding Some other race, and three or more races	0	±13		
Hispanic or Latino:	465	±212	2056	69%
White alone	410	±211		
Black or African American alone	0	±13		
American Indian and Alaska Native alone	4	±7		
Asian alone	0	±13		
Native Hawaiian and Other Pacific Islander alone	0	±13		
Some other race alone	17	±23		
Two or more races:	34	±39		
Two races including Some other race	20	±32		
Two races excluding Some other race, and three or more races	14	±23		
People of Color			2092	71%

Exhibit F

Hispanic or Latino Origin by Race

United States Census Bureau

Note: The table shown may have been modified by user selections. Some information may be missing.

DATA NOTES	
TABLE ID:	B03002
SURVEY/PROGRAM:	American Community Survey
VINTAGE:	2022
DATASET:	ACSDT5Y2022
PRODUCT:	ACS 5-Year Estimates Detailed Tables
UNIVERSE:	Total population
MLA:	U.S. Census Bureau. "Hispanic or Latino Origin by Race." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B03002, 2022, https://data.census.gov/table/ACSDT5Y2022.B03002?t=Race and Ethnicity&g=040XX00US35. Accessed on April 29, 2024.
FTP URL:	None
API URL:	https://api.census.gov/data/2022/acs/acs5
USER SELECTIONS	
GEOS	New Mexico
TOPICS	Race and Ethnicity
EXCLUDED COLUMNS	None
APPLIED FILTERS	None
APPLIED SORTS	None
PIVOT & GROUPING	
PIVOT COLUMNS	None
PIVOT MODE	Off
ROW GROUPS	None
VALUE COLUMNS	None
WEB ADDRESS	https://data.census.gov/table/ACSDT5Y2022.B03002?t=Race%20and%20Ethnicity&g=040XX00US35
TABLE NOTES	
	Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.
	Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.
	Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

	Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.
	The Hispanic origin and race codes were updated in 2020. For more information on the Hispanic origin and race code changes, please visit the American Community Survey Technical Documentation website.
	The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.
	Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.
	Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.
COLUMN NOTES	None

Table: ACSDT5Y2022.B03002

	New Mexico		
Label	**Estimate**	**Margin of Error**	**%**
Total:	2,112,463	*****	
Not Hispanic or Latino:	1,060,837	*****	
White alone	752,424	±1,849	36%
Black or African American alone	37,996	±1,116	
American Indian and Alaska Native alone	178,608	±1,339	
Asian alone	32,214	±868	
Native Hawaiian and Other Pacific Islander alone	1,117	±190	
Some other race alone	7,680	±967	
Two or more races:	50,798	±2,565	
Two races including Some other race	9,332	±1,618	
Two races excluding Some other race, and three or more races	41,466	±1,781	
Hispanic or Latino:	1,051,626	*****	50%
White alone	498,190	±8,153	
Black or African American alone	6,898	±1,003	
American Indian and Alaska Native alone	19,532	±1,745	
Asian alone	2,186	±513	
Native Hawaiian and Other Pacific Islander alone	732	±360	
Some other race alone	226,298	±6,282	
Two or more races:	297,790	±6,664	
Two races including Some other race	269,024	±7,242	
Two races excluding Some other race, and three or more races	28,766	±2,392	
People of Color			64%

Exhibit G

Hispanic or Latino Origin by Race

United States Census Bureau

Note: The table shown may have been modified by user selections. Some information may be missing.

DATA NOTES	
TABLE ID:	B03002
SURVEY/PROGRAM:	American Community Survey
VINTAGE:	2022
DATASET:	ACSDT5Y2022
PRODUCT:	ACS 5-Year Estimates Detailed Tables
UNIVERSE:	Total population
MLA:	U.S. Census Bureau. "Hispanic or Latino Origin by Race." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B03002, 2022, https://data.census.gov/table/ACSDT5Y2022.B03002?g=1500000US350010013001,350010013004. Accessed on May 29,
FTP URL:	None
API URL:	https://api.census.gov/data/2022/acs/acs5
USER SELECTIONS	
GEOS	Block Group 1; Census Tract 13; Bernalillo County; New Mexico; Block Group 4; Census Tract 13; Bernalillo County; New Mexico
EXCLUDED COLUMNS	None
APPLIED FILTERS	None
APPLIED SORTS	None
PIVOT & GROUPING	
PIVOT COLUMNS	None
PIVOT MODE	Off
ROW GROUPS	None
VALUE COLUMNS	None
WEB ADDRESS	https://data.census.gov/table/ACSDT5Y2022.B03002?g=1500000US350010013001,350010013004
TABLE NOTES	
	Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.
	Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.
	Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

	Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.
	The Hispanic origin and race codes were updated in 2020. For more information on the Hispanic origin and race code changes, please visit the American Community Survey Technical Documentation website.
	The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.
	Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.
	Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.
COLUMN NOTES	None

Table: ACSDT5Y2022.B03002

	Block Group 1; Census Tract 13; Bernalillo County; New Mexico		Block Group 4; Census Tract 13; Bernalillo County; New Mexico			
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**	**Total**	**%**
Total:	718	±360	1,480	±715	2198	
Not Hispanic or Latino:	71	±96	289	±164		
White alone	45	±55	97	±63	142	6%
Black or African American alone	0	±13	8	±13		
American Indian and Alaska Native alone	0	±13	184	±147		
Asian alone	0	±13	0	±13		
Native Hawaiian and Other Pacific Islander alone	0	±13	0	±13		
Some other race alone	0	±13	0	±13		
Two or more races:	26	±45	0	±13		
Two races including Some other race	0	±13	0	±13		
Two races excluding Some other race, and three or more races	26	±45	0	±13		
Hispanic or Latino:	647	±350	1,191	±706	1838	84%
White alone	499	±353	566	±488		
Black or African American alone	0	±13	0	±13		
American Indian and Alaska Native alone	0	±13	30	±39		
Asian alone	0	±13	0	±13		
Native Hawaiian and Other Pacific Islander alone	0	±13	0	±13		
Some other race alone	99	±94	210	±157		
Two or more races:	49	±39	385	±476		
Two races including Some other race	49	±39	371	±476		
Two races excluding Some other race, and three or more races	0	±13	14	±23		
People of Color					2056	94%

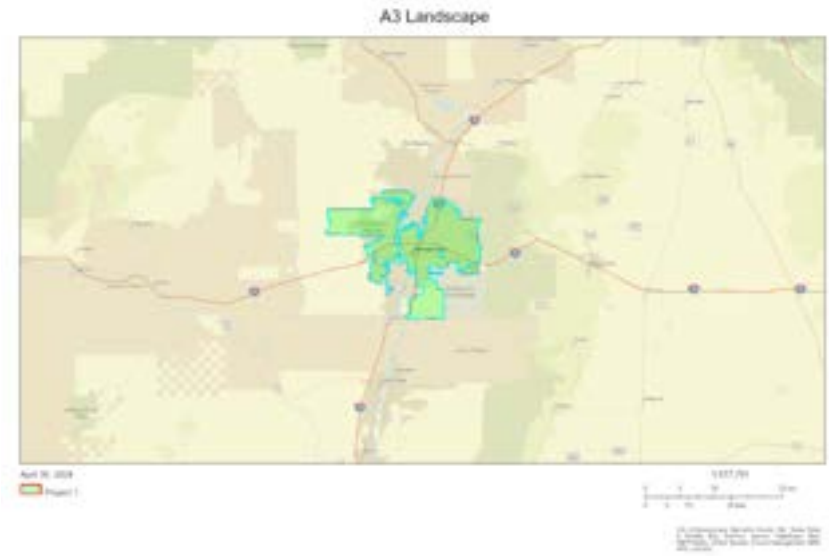
Exhibit H

EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Albuquerque, NM

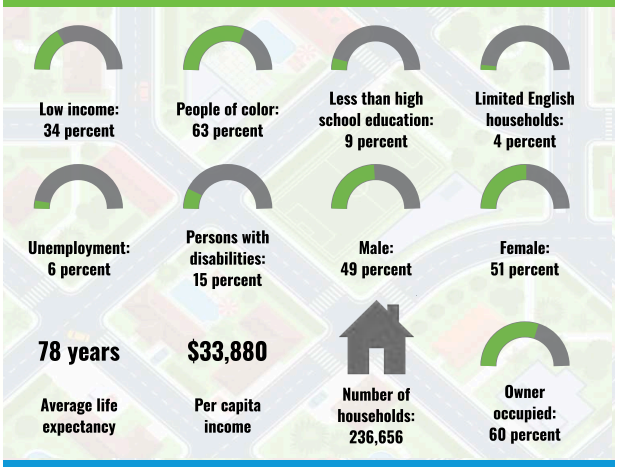
City: Albuquerque
Population: 563,302
Area in square miles: 188.95



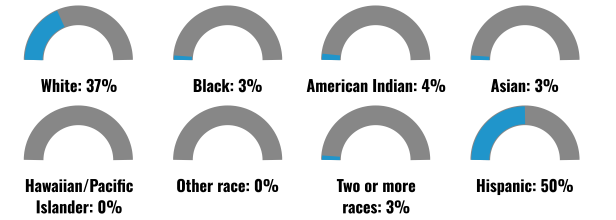
LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	74%
Spanish	20%
Other Indo-European	1%
Chinese (including Mandarin, Cantonese)	1%
Vietnamese	1%
Other and Unspecified	2%
Total Non-English	26%

COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE

LIMITED ENGLISH SPEAKING BREAKDOWN

Notes Numbers may not sum to totals due to rounding Hispanic population can be of any race
Source U S Census Bureau American Community Survey (ACS) 2017 2021 Life expectancy data comes from the Centers for Disease Control

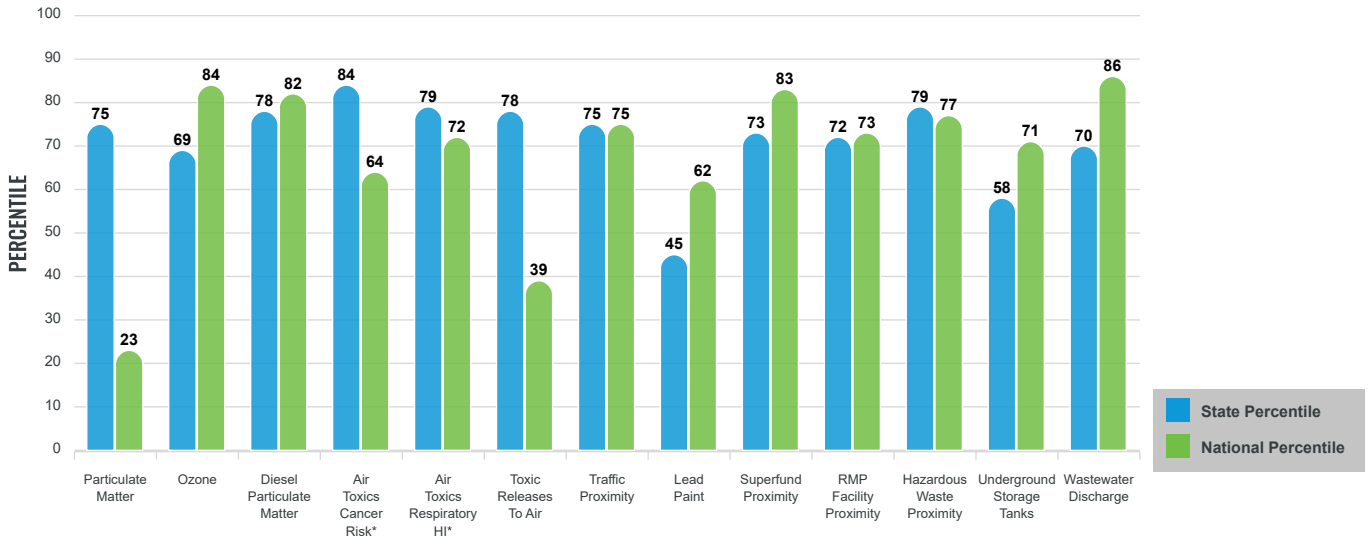
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

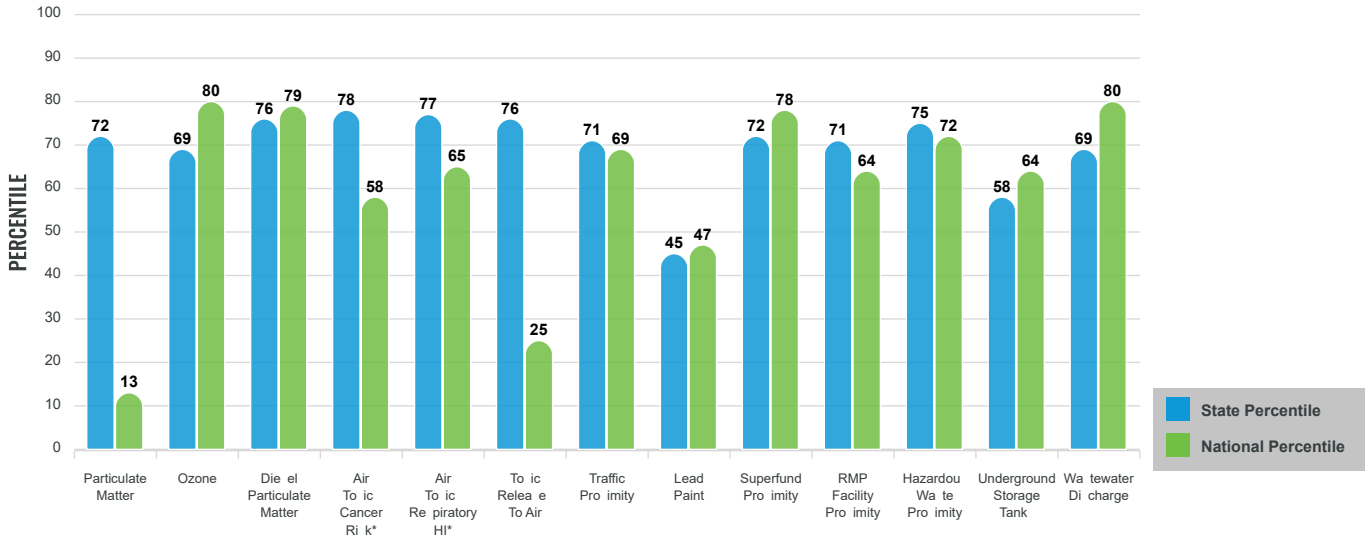
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation

Report for City Albuquerque

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	5.99	5.16	76	8.08	8
Ozone (ppb)	65.6	64.7	64	61.6	78
Diesel Particulate Matter (µg/m^3)	0.414	0.194	85	0.261	85
Air Toxics Cancer Risk* (lifetime risk per million)	24	18	34	25	5
Air Toxics Respiratory HI*	0.3	0.21	29	0.31	4
Toxic Releases to Air	51	29	85	4,600	17
Traffic Proximity (daily traffic count/distance to road)	190	84	88	210	74
Lead Paint (% Pre-1960 Housing)	0.19	0.19	64	0.3	47
Superfund Proximity (site count/km distance)	0.18	0.14	83	0.13	83
RMP Facility Proximity (facility count/km distance)	0.27	0.15	84	0.43	65
Hazardous Waste Proximity (facility count/km distance)	1.7	0.73	85	1.9	71
Underground Storage Tanks (count/km^2)	3	3.3	71	3.9	67
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.23	0.47	80	22	86
SOCIOECONOMIC INDICATORS					
Demographic Index	49%	51%	46	35%	73
Supplemental Demographic Index	14%	17%	43	14%	59
People of Color	63%	62%	48	39%	74
Low Income	34%	40%	43	31%	62
Unemployment Rate	6%	7%	55	6%	62
Limited English Speaking Households	4%	6%	60	5%	72
Less Than High School Education	9%	14%	45	12%	54
Under Age 5	5%	5%	61	6%	56
Over Age 64	16%	19%	46	17%	52
Low Life Expectancy	18%	19%	29	20%	33

*Diesel particulate matter air toxics cancer risk and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update which is the Agency's ongoing comprehensive evaluation of air toxics in the United States This effort aims to prioritize air toxics emission sources and locations of interest for further study It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country not definitive risks to specific individuals or locations Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding More information on the Air Toxics Data Update can be found at https //www epa gov/haps/air toxics data update

Sites reporting to EPA within defined area:

Superfund 1
Hazardous Waste, Treatment, Storage, and Disposal Facilities 23
Water Dischargers 1716
Air Pollution 1144
Brownfields 27
Toxic Release Inventory 59

Other community features within defined area:

Schools 168
Hospitals 24
Places of Worship 295

Other environmental data:

Air Non-attainment ..... No
Impaired Waters ..... Yes

Selected location contains American Indian Reservation Lands* ..... No
Selected location contains a "Justice40 (CEJST)" disadvantaged community ..... Yes
Selected location contains an EPA IRA disadvantaged community ..... Yes

Report for City Albuquerque

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	18%	19%	29	20%	33
Heart Disease	4.9	6.2	16	6.1	24
Asthma	10.1	10.3	53	10	55
Cancer	5.3	5.7	36	6.1	29
Persons with Disabilities	14.2%	16.6%	39	13.4%	61

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	6%	9%	53	12%	48
Wildfire Risk	42%	58%	37	14%	85

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	15%	22%	42	14%	61
Lack of Health Insurance	8%	9%	48	9%	57
Housing Burden	Yes	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Report for City: Albuquerque

Exhibit I

EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Bernalillo County, NM

County: Bernalillo
Population: 674,919
Area in square miles: 1167.37

LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	72%
Spanish	22%
Other Indo-European	1%
Vietnamese	1%
Other and Unspecified	2%
Total Non-English	28%

COMMUNITY INFORMATION

- Low income: 34 percent
- People of color: 63 percent
- Less than high school education: 10 percent
- Limited English households: 4 percent
- Unemployment: 6 percent
- Persons with disabilities: 15 percent
- Male: 49 percent
- Female: 51 percent
- 78 years — Average life expectancy
- $33,670 — Per capita income
- Number of households: 277,653
- Owner occupied: 63 percent

BREAKDOWN BY RACE

- White: 37%
- Black: 2%
- American Indian: 4%
- Asian: 3%
- Hawaiian/Pacific Islander: 0%
- Other race: 0%
- Two or more races: 3%
- Hispanic: 51%

BREAKDOWN BY AGE

From Ages 1 to 4	5%
From Ages 1 to 18	22%
From Ages 18 and up	78%
From Ages 65 and up	16%

LIMITED ENGLISH SPEAKING BREAKDOWN

Speak Spanish	84%
Speak Other Indo-European Languages	4%
Speak Asian-Pacific Island Languages	9%
Speak Other Languages	3%

Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race.
Source: U.S. Census Bureau, American Community Survey (ACS) 2017 -2021. Life expectancy data comes from the Centers for Disease Control.

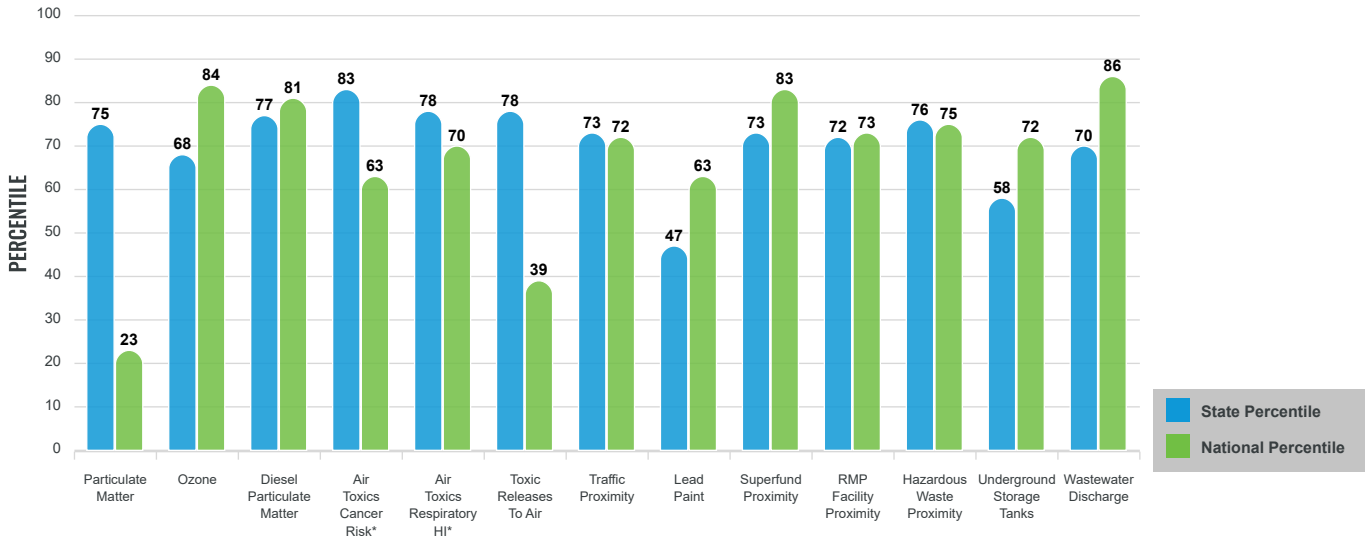
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

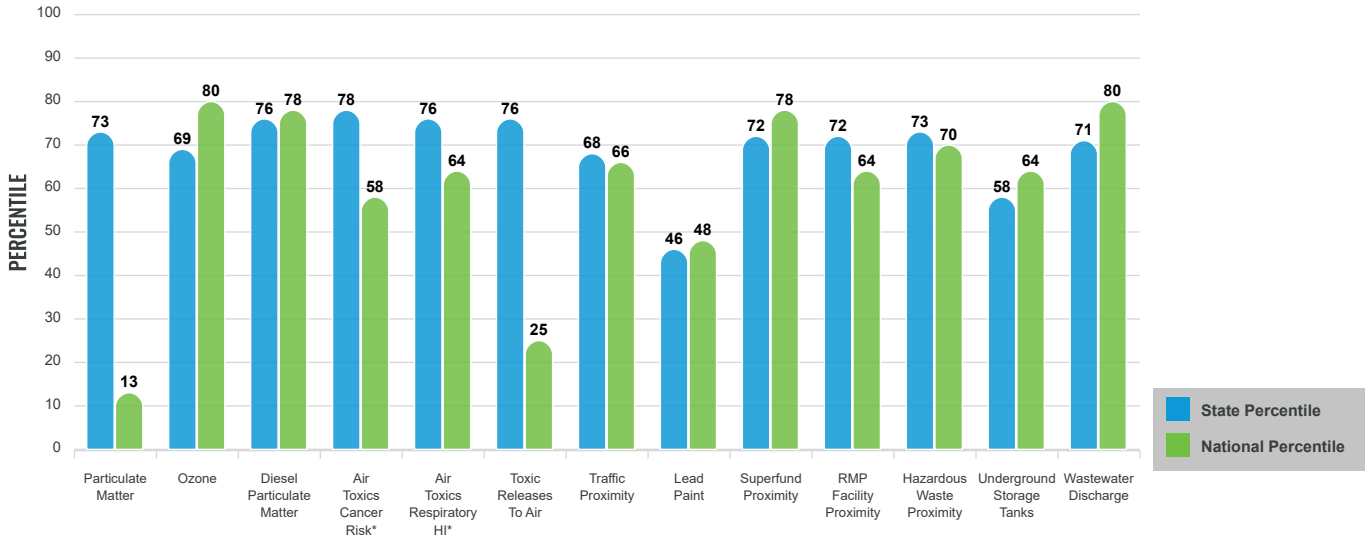
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for County: Bernalillo

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	5.95	5.16	75	8.08	8
Ozone (ppb)	65.6	64.7	63	61.6	78
Diesel Particulate Matter (µg/m^3)	0.392	0.194	84	0.261	82
Air Toxics Cancer Risk* (lifetime risk per million)	23	18	34	25	5
Air Toxics Respiratory HI*	0.29	0.21	29	0.31	4
Toxic Releases to Air	54	29	87	4,600	18
Traffic Proximity (daily traffic count/distance to road)	170	84	85	210	70
Lead Paint (% Pre-1960 Housing)	0.19	0.19	63	0.3	47
Superfund Proximity (site count/km distance)	0.19	0.14	84	0.13	84
RMP Facility Proximity (facility count/km distance)	0.27	0.15	85	0.43	65
Hazardous Waste Proximity (facility count/km distance)	1.6	0.73	82	1.9	69
Underground Storage Tanks (count/km^2)	3	3.3	71	3.9	66
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.96	0.47	95	22	91
SOCIOECONOMIC INDICATORS					
Demographic Index	49%	51%	46	35%	73
Supplemental Demographic Index	15%	17%	44	14%	59
People of Color	63%	62%	48	39%	74
Low Income	34%	40%	43	31%	62
Unemployment Rate	6%	7%	55	6%	62
Limited English Speaking Households	4%	6%	62	5%	73
Less Than High School Education	10%	14%	47	12%	57
Under Age 5	5%	5%	60	6%	55
Over Age 64	16%	19%	48	17%	54
Low Life Expectancy	18%	19%	27	20%	31

*Diesel particulate matter air toxics cancer risk and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update which is the Agency's ongoing comprehensive evaluation of air toxics in the United States This effort aims to prioritize air toxics emission sources and locations of interest for further study It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country not definitive risks to specific individuals or locations Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding More information on the Air Toxics Data Update can be found at https //www epa gov/haps/air toxics data update

Sites reporting to EPA within defined area:

Superfund 3
Hazardous Waste, Treatment, Storage, and Disposal Facilities 29
Water Dischargers 2468
Air Pollution 1393
Brownfields 32
Toxic Release Inventory 78

Other community features within defined area:

Schools 209
Hospitals 26
Places of Worship 401

Other environmental data:

Air Non-attainment ..... No
Impaired Waters ..... Yes

Selected location contains American Indian Reservation Lands* ..... Yes
Selected location contains a "Justice40 (CEJST)" disadvantaged community ..... Yes
Selected location contains an EPA IRA disadvantaged community ..... Yes

Report for County Bernalillo

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	18%	19%	27	20%	31
Heart Disease	5	6.2	17	6.1	26
Asthma	10.1	10.3	53	10	55
Cancer	5.3	5.7	36	6.1	29
Persons with Disabilities	14.6%	16.6%	41	13.4%	63

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	6%	9%	53	12%	47
Wildfire Risk	47%	58%	37	14%	85

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	15%	22%	43	14%	61
Lack of Health Insurance	8%	9%	49	9%	59
Housing Burden	Yes	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Report for County: Bernalillo

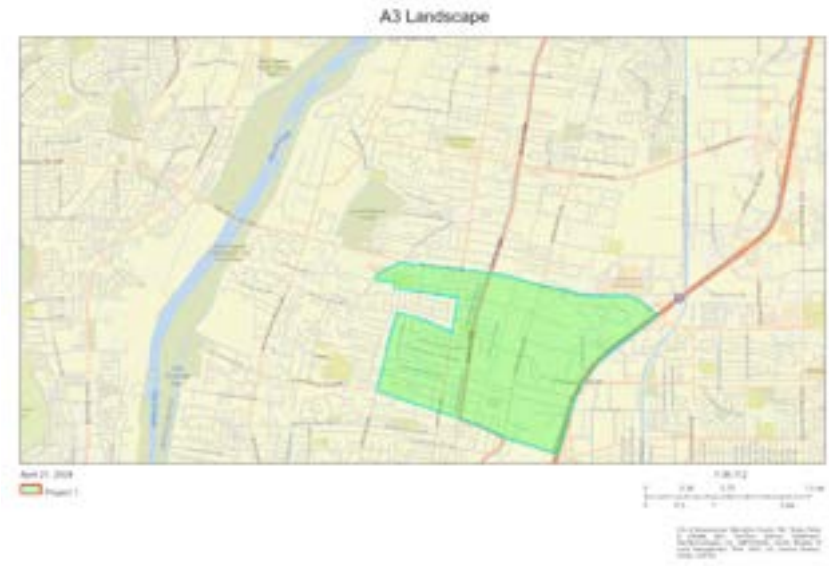
Exhibit J

EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Albuquerque, NM

Blockgroup: 350010032011,350010032024,350010032023,350010032021
Population: 4,938
Area in square miles: 2.54



COMMUNITY INFORMATION

- Low income: 53 percent
- People of color: 65 percent
- Less than high school education: 12 percent
- Limited English households: 5 percent
- Unemployment: 7 percent
- Persons with disabilities: 20 percent
- Male: 56 percent
- Female: 44 percent
- 76 years — Average life expectancy
- $22,068 — Per capita income
- Number of households: 2,275
- Owner occupied: 57 percent

BREAKDOWN BY RACE

- White: 35%
- Black: 2%
- American Indian: 2%
- Asian: 0%
- Hawaiian/Pacific Islander: 0%
- Other race: 1%
- Two or more races: 2%
- Hispanic: 58%

BREAKDOWN BY AGE

From Ages 1 to 4	5%
From Ages 1 to 18	16%
From Ages 18 and up	84%
From Ages 65 and up	17%

LIMITED ENGLISH SPEAKING BREAKDOWN

Speak Spanish	100%
Speak Other Indo-European Languages	0%
Speak Asian-Pacific Island Languages	0%
Speak Other Languages	0%

LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	69%
Spanish	28%
Other and Unspecified	3%
Total Non-English	31%

Notes Numbers may not sum to totals due to rounding Hispanic population can be of any race
Source U S Census Bureau American Community Survey (ACS) 2017 2021 Life expectancy data comes from the Centers for Disease Control

Environmental Justice & Supplemental Indexes

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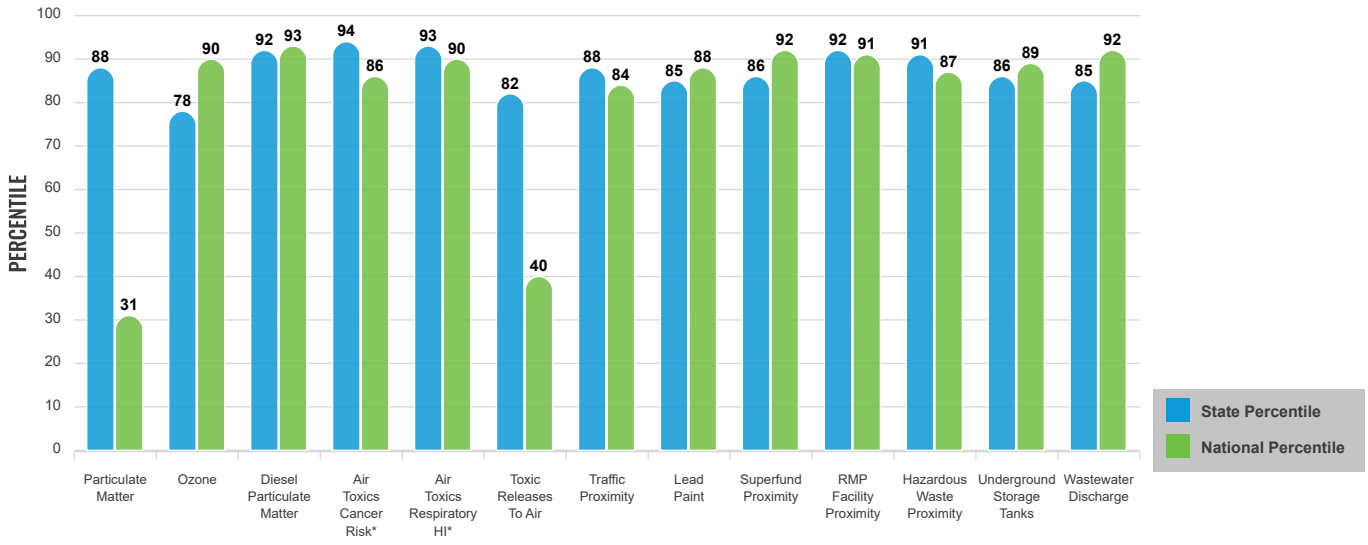
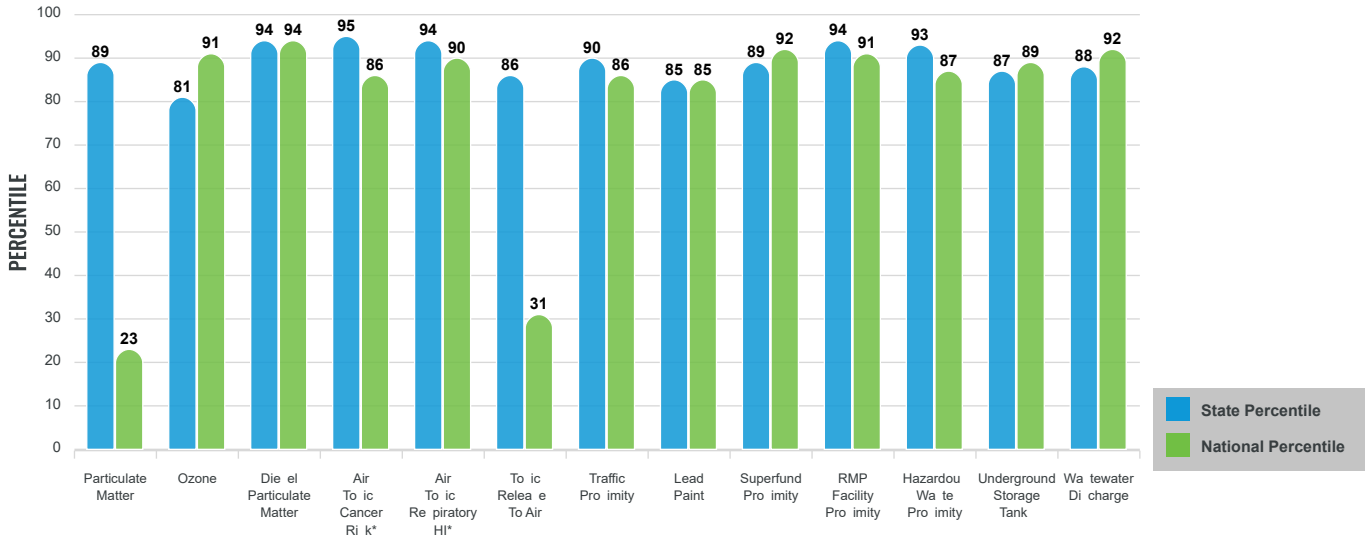
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation

Report for Blockgroup 350010032011,350010032024,350010032023,350010032021

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	6.36	5.16	87	8.08	11
Ozone (ppb)	65.7	64.7	66	61.6	79
Diesel Particulate Matter (µg/m^3)	0.79	0.194	98	0.261	97
Air Toxics Cancer Risk* (lifetime risk per million)	30	18	87	25	52
Air Toxics Respiratory HI*	0.4	0.21	90	0.31	70
Toxic Releases to Air	37	29	73	4,600	15
Traffic Proximity (daily traffic count/distance to road)	210	84	89	210	75
Lead Paint (% Pre-1960 Housing)	0.49	0.19	87	0.3	72
Superfund Proximity (site count/km distance)	0.21	0.14	86	0.13	86
RMP Facility Proximity (facility count/km distance)	1.1	0.15	99	0.43	89
Hazardous Waste Proximity (facility count/km distance)	2.1	0.73	88	1.9	74
Underground Storage Tanks (count/km^2)	7.4	3.3	88	3.9	84
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.24	0.47	81	22	86
SOCIOECONOMIC INDICATORS					
Demographic Index	59%	51%	63	35%	82
Supplemental Demographic Index	21%	17%	70	14%	81
People of Color	65%	62%	51	39%	75
Low Income	53%	40%	71	31%	83
Unemployment Rate	7%	7%	62	6%	69
Limited English Speaking Households	5%	6%	66	5%	76
Less Than High School Education	12%	14%	54	12%	65
Under Age 5	5%	5%	54	6%	48
Over Age 64	17%	19%	52	17%	58
Low Life Expectancy	23%	19%	81	20%	80

*Diesel particulate matter air toxics cancer risk and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update which is the Agency's ongoing comprehensive evaluation of air toxics in the United States This effort aims to prioritize air toxics emission sources and locations of interest for further study It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country not definitive risks to specific individuals or locations Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding More information on the Air Toxics Data Update can be found at https //www epa gov/haps/air toxics data update

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	66
Air Pollution	59
Brownfields	1
Toxic Release Inventory	2

Other community features within defined area:

Schools	8
Hospitals	1
Places of Worship	5

Other environmental data:

Air Non-attainment	No
Impaired Waters	No

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for Blockgroup 350010032011,350010032024,350010032023,350010032021

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	23%	19%	81	20%	80
Heart Disease	5.9	6.2	41	6.1	48
Asthma	10.9	10.3	79	10	75
Cancer	4.8	5.7	23	6.1	21
Persons with Disabilities	20%	16.6%	74	13.4%	86

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	3%	9%	35	12%	27
Wildfire Risk	13%	58%	32	14%	82

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	20%	22%	55	14%	74
Lack of Health Insurance	10%	9%	62	9%	68
Housing Burden	Yes	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Report for Blockgroup: 350010032011,350010032024,350010032023,350010032021

Exhibit K

EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

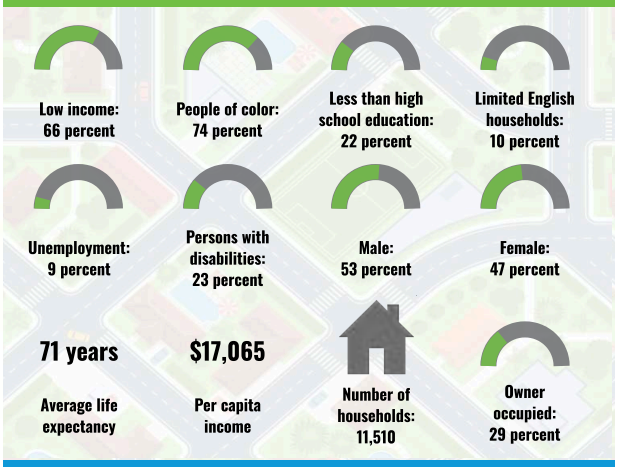
Albuquerque, NM

the User Specified Area
Population: 24,956
Area in square miles: 3.46

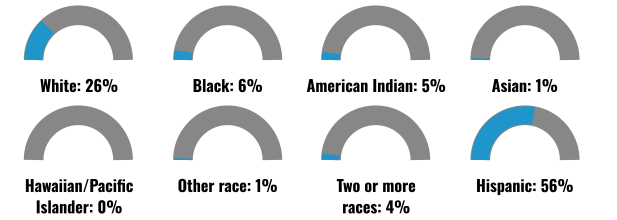
LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	60%
Spanish	31%
French, Haitian, or Cajun	1%
Tagalog (including Filipino)	1%
Other and Unspecified	5%
Total Non-English	40%

COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE

LIMITED ENGLISH SPEAKING BREAKDOWN

Notes Numbers may not sum to totals due to rounding Hispanic population can be of any race
Source U S Census Bureau American Community Survey (ACS) 2017 2021 Life expectancy data comes from the Centers for Disease Control

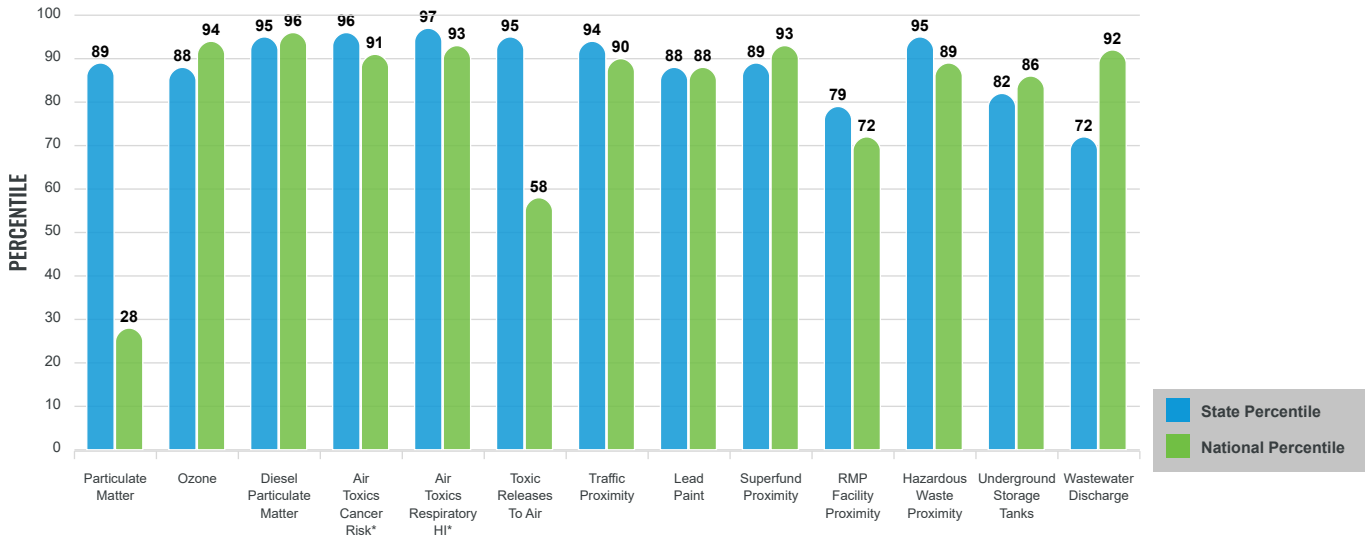
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

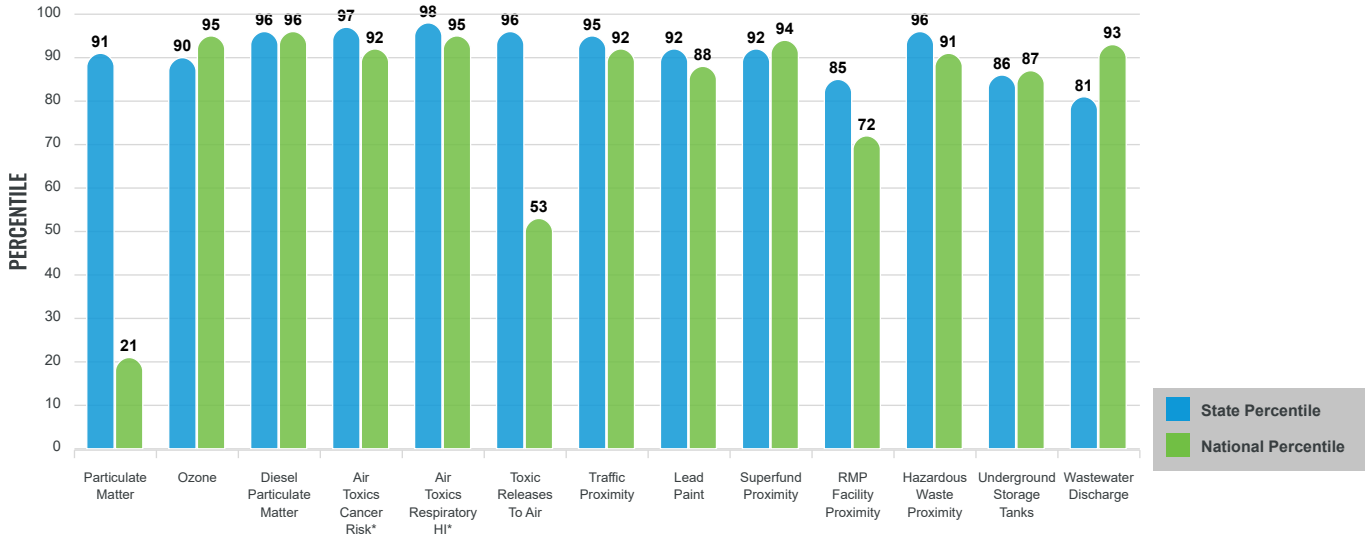
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation

Report for the User Specified Area

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	6	5.16	76	8.08	8
Ozone (ppb)	66	64.7	70	61.6	80
Diesel Particulate Matter (µg/m^3)	0.533	0.194	92	0.261	92
Air Toxics Cancer Risk* (lifetime risk per million)	30	18	87	25	52
Air Toxics Respiratory HI*	0.4	0.21	90	0.31	70
Toxic Releases to Air	87	29	95	4,600	22
Traffic Proximity (daily traffic count/distance to road)	220	84	89	210	76
Lead Paint (% Pre-1960 Housing)	0.39	0.19	81	0.3	65
Superfund Proximity (site count/km distance)	0.15	0.14	79	0.13	79
RMP Facility Proximity (facility count/km distance)	0.13	0.15	62	0.43	38
Hazardous Waste Proximity (facility count/km distance)	1.6	0.73	83	1.9	70
Underground Storage Tanks (count/km^2)	3.3	3.3	73	3.9	68
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.022	0.47	52	22	73
SOCIOECONOMIC INDICATORS					
Demographic Index	70%	51%	79	35%	90
Supplemental Demographic Index	27%	17%	86	14%	91
People of Color	74%	62%	65	39%	80
Low Income	66%	40%	86	31%	92
Unemployment Rate	9%	7%	71	6%	77
Limited English Speaking Households	10%	6%	81	5%	85
Less Than High School Education	22%	14%	76	12%	83
Under Age 5	6%	5%	65	6%	62
Over Age 64	13%	19%	36	17%	40
Low Life Expectancy	26%	19%	96	20%	94

*Diesel particulate matter air toxics cancer risk and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update which is the Agency's ongoing comprehensive evaluation of air toxics in the United States This effort aims to prioritize air toxics emission sources and locations of interest for further study It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country not definitive risks to specific individuals or locations Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding More information on the Air Toxics Data Update can be found at https //www epa gov/haps/air toxics data update

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	18
Air Pollution	65
Brownfields	1
Toxic Release Inventory	0

Other community features within defined area:

Schools	5
Hospitals	1
Places of Worship	61

Other environmental data:

Air Non-attainment	No
Impaired Waters	No

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for the User Specified Area

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	26%	19%	96	20%	94
Heart Disease	6.7	6.2	64	6.1	64
Asthma	11.8	10.3	90	10	88
Cancer	4.6	5.7	18	6.1	18
Persons with Disabilities	21.1%	16.6%	77	13.4%	88

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	0%	9%	0	12%	0
Wildfire Risk	10%	58%	31	14%	81

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	25%	22%	64	14%	82
Lack of Health Insurance	15%	9%	81	9%	83
Housing Burden	Yes	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Report for the User Specified Area

Exhibit L

EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

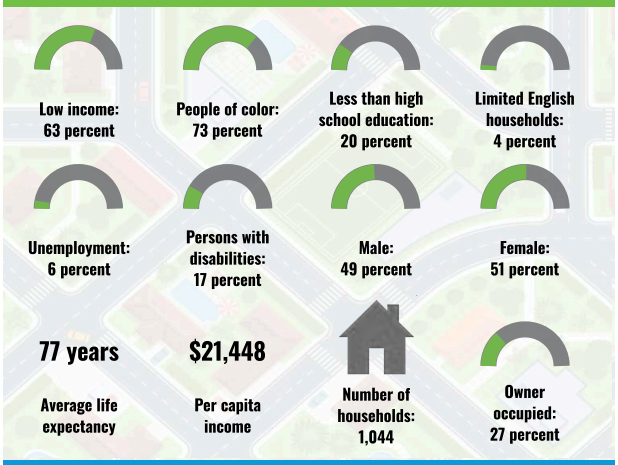
Albuquerque, NM

Blockgroup: 350010020001,350010020002
Population: 2,123
Area in square miles: 0.73

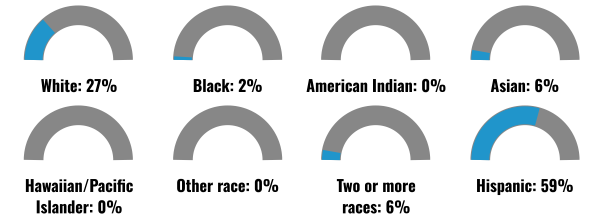
LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	64%
Spanish	31%
Other Indo-European	5%
Tagalog (including Filipino)	1%
Total Non-English	36%

COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE

LIMITED ENGLISH SPEAKING BREAKDOWN

Notes Numbers may not sum to totals due to rounding Hispanic population can be of any race
Source U S Census Bureau American Community Survey (ACS) 2017 2021 Life expectancy data comes from the Centers for Disease Control

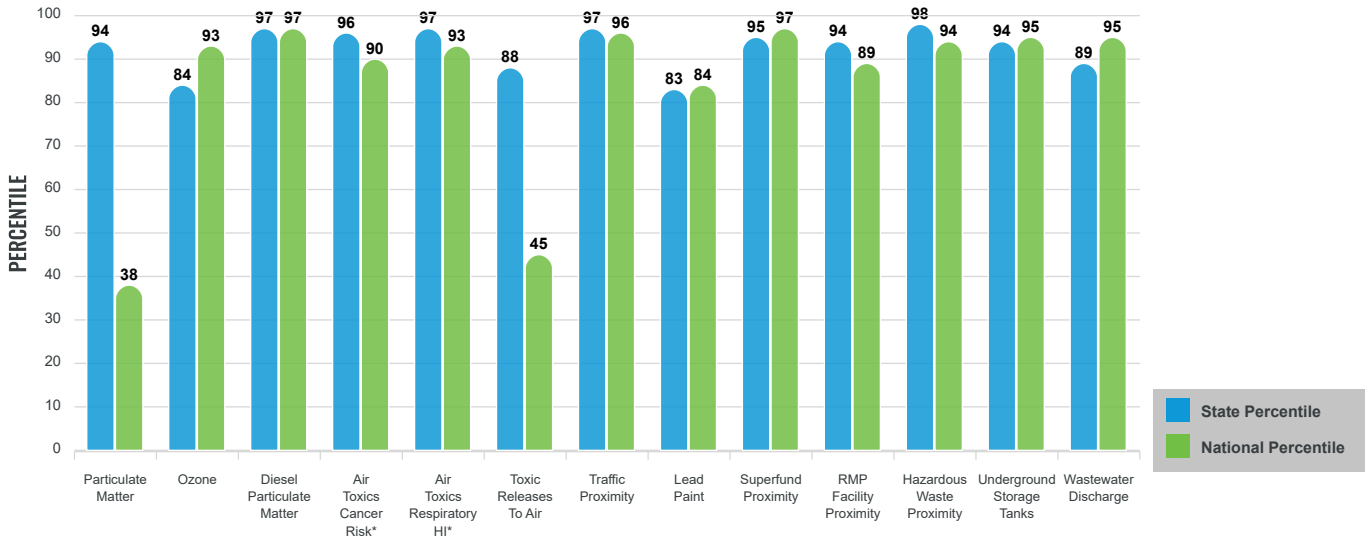
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

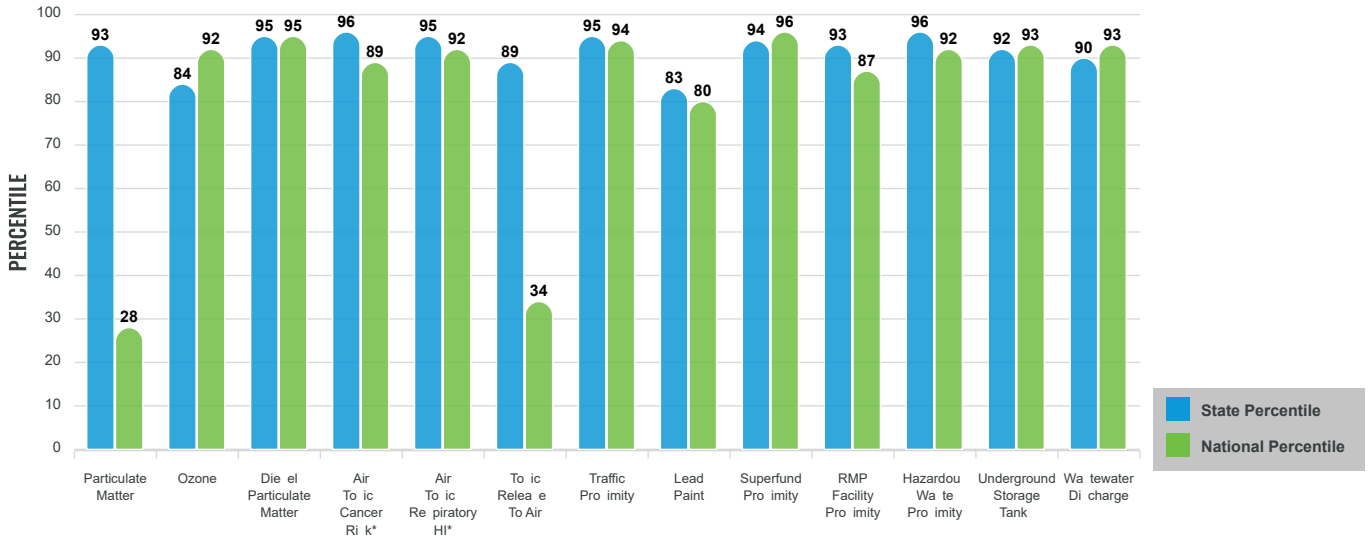
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation

Report for Blockgroup 350010020001,350010020002

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	6.44	5.16	92	8.08	12
Ozone (ppb)	65.7	64.7	65	61.6	78
Diesel Particulate Matter (µg/m^3)	0.764	0.194	98	0.261	97
Air Toxics Cancer Risk* (lifetime risk per million)	30	18	87	25	52
Air Toxics Respiratory HI*	0.4	0.21	90	0.31	70
Toxic Releases to Air	38	29	75	4,600	15
Traffic Proximity (daily traffic count/distance to road)	740	84	99	210	94
Lead Paint (% Pre-1960 Housing)	0.27	0.19	71	0.3	55
Superfund Proximity (site count/km distance)	1.5	0.14	99	0.13	99
RMP Facility Proximity (facility count/km distance)	0.38	0.15	90	0.43	71
Hazardous Waste Proximity (facility count/km distance)	3.7	0.73	97	1.9	84
Underground Storage Tanks (count/km^2)	13	3.3	94	3.9	92
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.24	0.47	81	22	86
SOCIOECONOMIC INDICATORS					
Demographic Index	68%	51%	77	35%	89
Supplemental Demographic Index	23%	17%	77	14%	85
People of Color	73%	62%	64	39%	80
Low Income	63%	40%	82	31%	90
Unemployment Rate	6%	7%	59	6%	66
Limited English Speaking Households	4%	6%	61	5%	72
Less Than High School Education	20%	14%	73	12%	81
Under Age 5	4%	5%	51	6%	45
Over Age 64	10%	19%	23	17%	27
Low Life Expectancy	21%	19%	66	20%	65

*Diesel particulate matter air toxics cancer risk and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update which is the Agency's ongoing comprehensive evaluation of air toxics in the United States This effort aims to prioritize air toxics emission sources and locations of interest for further study It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country not definitive risks to specific individuals or locations Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding More information on the Air Toxics Data Update can be found at https //www epa gov/haps/air toxics data update

Sites reporting to EPA within defined area:

Superfund	1
Hazardous Waste, Treatment, Storage, and Disposal Facilities	2
Water Dischargers	15
Air Pollution	16
Brownfields	0
Toxic Release Inventory	0

Other community features within defined area:

Schools	5
Hospitals	4
Places of Worship	0

Other environmental data:

Air Non-attainment	No
Impaired Waters	No

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for Blockgroup 350010020001,350010020002

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	21%	19%	66	20%	65
Heart Disease	4.6	6.2	14	6.1	21
Asthma	11.3	10.3	86	10	84
Cancer	3.4	5.7	4	6.1	5
Persons with Disabilities	16.3%	16.6%	53	13.4%	72

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	5%	9%	51	12%	44
Wildfire Risk	0%	58%	0	14%	0

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	22%	22%	58	14%	78
Lack of Health Insurance	5%	9%	31	9%	39
Housing Burden	Yes	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Report for Blockgroup: 350010020001,350010020002

Exhibit M

EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Albuquerque, NM

Blockgroup: 350010040012,350010040013,350010040011
Population: 2,893
Area in square miles: 35.05

LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	54%
Spanish	44%
Russian, Polish, or Other Slavic	2%
Total Non-English	46%

COMMUNITY INFORMATION

Low income: 54 percent
People of color: 72 percent
Less than high school education: 14 percent
Limited English households: 4 percent
Unemployment: 6 percent
Persons with disabilities: 14 percent
Male: 52 percent
Female: 48 percent
78 years — Average life expectancy
$33,377 — Per capita income
Number of households: 1,019
Owner occupied: 81 percent

BREAKDOWN BY RACE

White: 28%
Black: 0%
American Indian: 1%
Asian: 0%
Hawaiian/Pacific Islander: 0%
Other race: 0%
Two or more races: 1%
Hispanic: 70%

BREAKDOWN BY AGE

From Ages 1 to 4	7%
From Ages 1 to 18	28%
From Ages 18 and up	72%
From Ages 65 and up	17%

LIMITED ENGLISH SPEAKING BREAKDOWN

Speak Spanish	100%
Speak Other Indo-European Languages	0%
Speak Asian-Pacific Island Languages	0%
Speak Other Languages	0%

Notes Numbers may not sum to totals due to rounding Hispanic population can be of any race
Source U S Census Bureau American Community Survey (ACS) 2017 2021 Life expectancy data comes from the Centers for Disease Control

Environmental Justice & Supplemental Indexes

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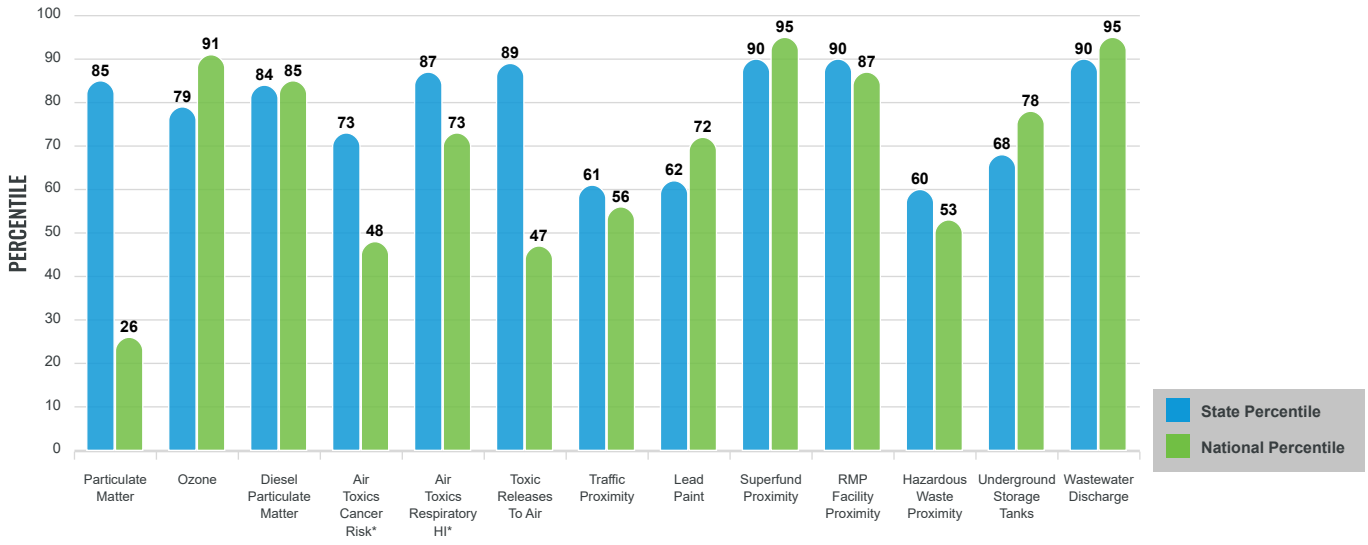
EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

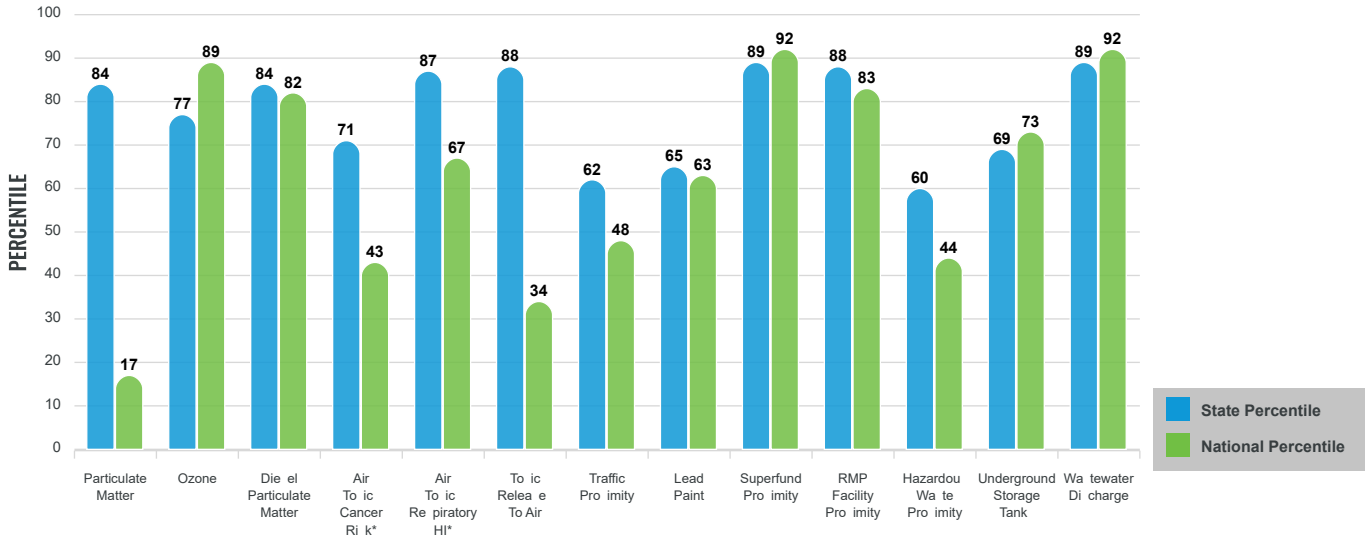
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation

Report for Blockgroup 350010040012,350010040013,350010040011

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	6.05	5.16	78	8.08	8
Ozone (ppb)	65.6	64.7	63	61.6	78
Diesel Particulate Matter (µg/m^3)	0.282	0.194	74	0.261	65
Air Toxics Cancer Risk* (lifetime risk per million)	20	18	34	25	5
Air Toxics Respiratory HI*	0.3	0.21	69	0.31	31
Toxic Releases to Air	49	29	84	4,600	17
Traffic Proximity (daily traffic count/distance to road)	22	84	45	210	25
Lead Paint (% Pre-1960 Housing)	0.12	0.19	52	0.3	37
Superfund Proximity (site count/km distance)	0.54	0.14	94	0.13	95
RMP Facility Proximity (facility count/km distance)	0.41	0.15	91	0.43	73
Hazardous Waste Proximity (facility count/km distance)	0.11	0.73	42	1.9	22
Underground Storage Tanks (count/km^2)	1.2	3.3	55	3.9	50
Wastewater Discharge (toxicity-weighted concentration/m distance)	79	0.47	99	22	99
SOCIOECONOMIC INDICATORS					
Demographic Index	63%	51%	68	35%	85
Supplemental Demographic Index	20%	17%	65	14%	77
People of Color	72%	62%	62	39%	79
Low Income	54%	40%	72	31%	84
Unemployment Rate	6%	7%	60	6%	67
Limited English Speaking Households	4%	6%	61	5%	72
Less Than High School Education	14%	14%	60	12%	69
Under Age 5	7%	5%	69	6%	67
Over Age 64	17%	19%	51	17%	56
Low Life Expectancy	20%	19%	54	20%	54

*Diesel particulate matter air toxics cancer risk and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update which is the Agency's ongoing comprehensive evaluation of air toxics in the United States This effort aims to prioritize air toxics emission sources and locations of interest for further study It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country not definitive risks to specific individuals or locations Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding More information on the Air Toxics Data Update can be found at https //www epa gov/haps/air toxics data update

Sites reporting to EPA within defined area:

Superfund 2
Hazardous Waste, Treatment, Storage, and Disposal Facilities 0
Water Dischargers 222
Air Pollution 75
Brownfields 0
Toxic Release Inventory 10

Other community features within defined area:

Schools 1
Hospitals 0
Places of Worship 1

Other environmental data:

Air Non-attainment ..... No
Impaired Waters ..... Yes

Selected location contains American Indian Reservation Lands* ..... No
Selected location contains a "Justice40 (CEJST)" disadvantaged community ..... Yes
Selected location contains an EPA IRA disadvantaged community ..... Yes

Report for Blockgroup 350010040012,350010040013,350010040011

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	20%	19%	54	20%	55
Heart Disease	5.9	6.2	41	6.1	48
Asthma	10.9	10.3	81	10	77
Cancer	4.4	5.7	17	6.1	16
Persons with Disabilities	12.2%	16.6%	26	13.4%	47

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	1%	9%	23	12%	15
Wildfire Risk	76%	58%	45	14%	88

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	18%	22%	51	14%	70
Lack of Health Insurance	16%	9%	83	9%	86
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Report for Blockgroup: 350010040012,350010040013,350010040011

Exhibit N

EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

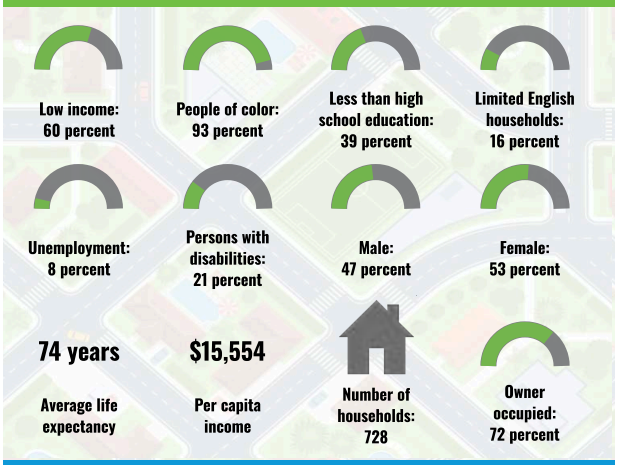
Albuquerque, NM

Blockgroup: 350010013004,350010013001
Population: 2,228
Area in square miles: 0.80

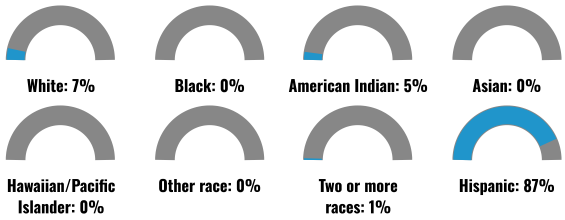
LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	42%
Spanish	51%
Korean	5%
Other and Unspecified	2%
Total Non-English	58%

COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE

LIMITED ENGLISH SPEAKING BREAKDOWN

Notes Numbers may not sum to totals due to rounding Hispanic population can be of any race
Source U S Census Bureau American Community Survey (ACS) 2017 2021 Life expectancy data comes from the Centers for Disease Control

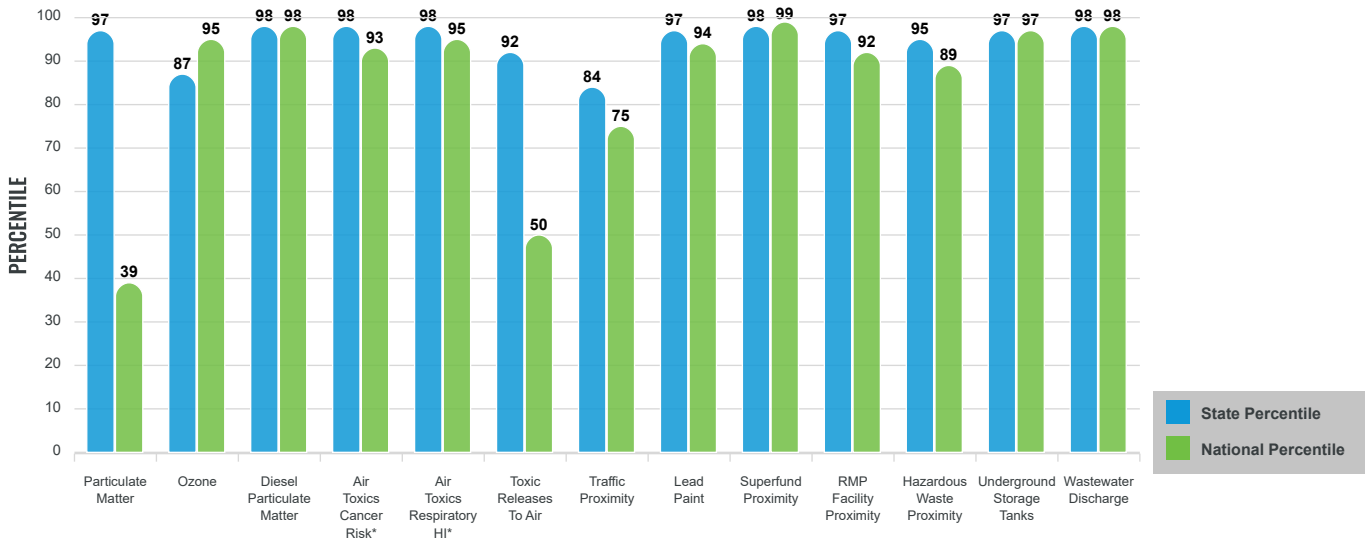
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

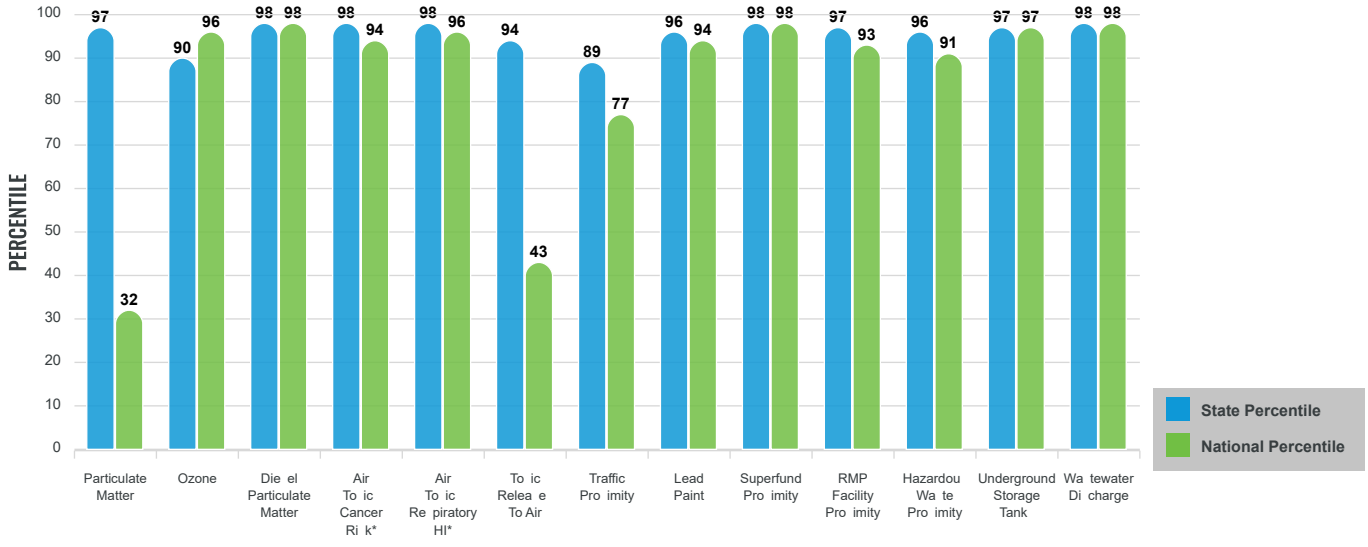
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation

Report for Blockgroup 350010013004,350010013001

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m^3)	6.42	5.16	91	8.08	11
Ozone (ppb)	65.6	64.7	63	61.6	78
Diesel Particulate Matter (µg/m^3)	0.577	0.194	93	0.261	94
Air Toxics Cancer Risk* (lifetime risk per million)	30	18	87	25	52
Air Toxics Respiratory HI*	0.4	0.21	90	0.31	70
Toxic Releases to Air	39	29	77	4,600	16
Traffic Proximity (daily traffic count/distance to road)	48	84	60	210	39
Lead Paint (% Pre-1960 Housing)	0.47	0.19	85	0.3	71
Superfund Proximity (site count/km distance)	1.3	0.14	98	0.13	98
RMP Facility Proximity (facility count/km distance)	0.35	0.15	89	0.43	70
Hazardous Waste Proximity (facility count/km distance)	1.1	0.73	76	1.9	63
Underground Storage Tanks (count/km^2)	12	3.3	93	3.9	91
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.86	0.47	94	22	91
SOCIOECONOMIC INDICATORS					
Demographic Index	77%	51%	88	35%	93
Supplemental Demographic Index	29%	17%	91	14%	94
People of Color	93%	62%	88	39%	91
Low Income	60%	40%	79	31%	88
Unemployment Rate	8%	7%	69	6%	76
Limited English Speaking Households	16%	6%	89	5%	91
Less Than High School Education	39%	14%	94	12%	96
Under Age 5	6%	5%	65	6%	62
Over Age 64	18%	19%	53	17%	58
Low Life Expectancy	24%	19%	91	20%	88

*Diesel particulate matter air toxics cancer risk and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update which is the Agency's ongoing comprehensive evaluation of air toxics in the United States This effort aims to prioritize air toxics emission sources and locations of interest for further study It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country not definitive risks to specific individuals or locations Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding More information on the Air Toxics Data Update can be found at https //www epa gov/haps/air toxics data update

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	16
Air Pollution	16
Brownfields	0
Toxic Release Inventory	2

Other community features within defined area:

Schools	2
Hospitals	0
Places of Worship	1

Other environmental data:

Air Non-attainment	No
Impaired Waters	No

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for Blockgroup 350010013004,350010013001

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	24%	19%	91	20%	88
Heart Disease	6	6.2	44	6.1	50
Asthma	10.8	10.3	79	10	75
Cancer	4	5.7	11	6.1	11
Persons with Disabilities	19.7%	16.6%	72	13.4%	85

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	1%	9%	28	12%	19
Wildfire Risk	99%	58%	79	14%	95

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	54%	22%	92	14%	98
Lack of Health Insurance	10%	9%	63	9%	69
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Report for Blockgroup: 350010013004,350010013001

Exhibit O

ClusterName	ClusterCount
Zip Code 87001: ALGODONES	1
Zip Code 87004: BERNALILLO	5
Zip Code 87008: CEDAR CREST	10
Zip Code 87015: EDGEWOOD	1
Zip Code 87016: ESTANCIA	1
Zip Code 87022: ISLETA	3
Zip Code 87026: LAGUNA	1
Zip Code 87028: LA JOYA	1
Zip Code 87034: PUEBLO OF ACOMA	3
Zip Code 87043: PLACITAS	1
Zip Code 87047: SANDIA PARK	6
Zip Code 87059: TIJERAS	23
Zip Code 87068: BOSQUE FARMS	1
Zip Code 87101: ALBUQUERQUE	7
Zip Code 87102: ALBUQUERQUE	267
Zip Code 87103: ALBUQUERQUE	8
Zip Code 87104: ALBUQUERQUE	52
Zip Code 87105: ALBUQUERQUE	282
Zip Code 87106: ALBUQUERQUE	183
Zip Code 87107: ALBUQUERQUE	372
Zip Code 87108: ALBUQUERQUE	114
Zip Code 87109: ALBUQUERQUE	296
Zip Code 87110: ALBUQUERQUE	172
Zip Code 87111: ALBUQUERQUE	83
Zip Code 87112: ALBUQUERQUE	120
Zip Code 87113: ALBUQUERQUE	187
Zip Code 87114: ALBUQUERQUE	157
Zip Code 87116: ALBUQUERQUE	5
Zip Code 87117: KIRTLAND AFB	20
Zip Code 87119: ALBUQUERQUE	7
Zip Code 87120: ALBUQUERQUE	141
Zip Code 87121: ALBUQUERQUE	204
Zip Code 87122: ALBUQUERQUE	32
Zip Code 87123: ALBUQUERQUE	184
Zip Code 87124: RIO RANCHO	9
Zip Code 87125: ALBUQUERQUE	4
Zip Code 87131: ALBUQUERQUE	7
Zip Code 87144: RIO RANCHO	1
Zip Code 87174: RIO RANCHO	1
Zip Code 87176: ALBUQUERQUE	1
Zip Code 87184: ALBUQUERQUE	1
Zip Code 87185: ALBUQUERQUE	3
Zip Code 87190: ALBUQUERQUE	2
Zip Code 87191: ALBUQUERQUE	1
Zip Code 87193: ALBUQUERQUE	1
Zip Code 87195: ALBUQUERQUE	1

Zip Code 87197: ALBUQUERQUE	3
Zip Code 87199: ALBUQUERQUE	2
Zip Code 87305: GALLUP	3
Zip Code 87317: GAMERCO	1
Zip Code 87326: VANDERWAGEN	2
Zip Code 87347: JAMESTOWN	1
Zip Code 87375: YATAHEY	3
Zip Code 87402: FARMINGTON	1
Zip Code 87501: SANTA FE	1
Zip Code 87507: SANTA FE	1
Zip Code 87508: SANTA FE	1
Zip Code 87574: TESUQUE	1
Zip Code 87713: CHACON	1
Zip Code 88011: LAS CRUCES	1
Zip Code 88012: LAS CRUCES	1
County total	3005
Total in 87102, 87105, 87107, and 87108	1035

Search Criteria

Media Selected: All Media Programs
State/Territory: New Mexico
County: Bernalillo County
Active/Operating: Yes

Exhibit P

ClusterName	ClusterCount
Zip Code 87004: BERNALILLO	1
Zip Code 87008: CEDAR CREST	4
Zip Code 87022: ISLETA	1
Zip Code 87026: LAGUNA	1
Zip Code 87047: SANDIA PARK	3
Zip Code 87059: TIJERAS	13
Zip Code 87101: ALBUQUERQUE	4
Zip Code 87102: ALBUQUERQUE	129
Zip Code 87103: ALBUQUERQUE	14
Zip Code 87104: ALBUQUERQUE	23
Zip Code 87105: ALBUQUERQUE	93
Zip Code 87106: ALBUQUERQUE	61
Zip Code 87107: ALBUQUERQUE	153
Zip Code 87108: ALBUQUERQUE	62
Zip Code 87109: ALBUQUERQUE	111
Zip Code 87110: ALBUQUERQUE	93
Zip Code 87111: ALBUQUERQUE	52
Zip Code 87112: ALBUQUERQUE	64
Zip Code 87113: ALBUQUERQUE	51
Zip Code 87114: ALBUQUERQUE	54
Zip Code 87115: ALBUQUERQUE	1
Zip Code 87116: ALBUQUERQUE	1
Zip Code 87117: KIRTLAND AFB	4
Zip Code 87120: ALBUQUERQUE	39
Zip Code 87121: ALBUQUERQUE	74
Zip Code 87122: ALBUQUERQUE	7
Zip Code 87123: ALBUQUERQUE	63
Zip Code 87124: RIO RANCHO	5
Zip Code 87125: ALBUQUERQUE	1
Zip Code 87131: ALBUQUERQUE	5
Zip Code 87184: ALBUQUERQUE	2
Zip Code 87185: ALBUQUERQUE	2
Zip Code 87199: ALBUQUERQUE	2
Zip Code 87301: GALLUP	1
Zip Code 87412: BLANCO	1
Zip Code 87417: KIRTLAND	1
Zip Code 87501: SANTA FE	1
Zip Code 87510: ABIQUIU	1
Zip Code 88033: FAIRACRES	1
Zip Code 88221: CARLSBAD	1
Zip Code 88231: EUNICE	1
Zip Code 88241: HOBBS	1
Zip Code 88318: CORONA	1
Zip Code 88342: OROGRANDE	3
Zip Code 89713: CARSON CITY	1
Zip Code 79711: MIDLAND	1

Total Facilities County	1208
Total facilities in 87102, 87105, 87107, 87108	437

Search Criteria

Media Selected: Air (CAA)
State/Territory: New Mexico
County: Bernalillo County
Facility Status: All Active Facilities

Exhibit Q

Age and Sex

Note: The table shown may have been modified by user selections. Some information may be missing.

DATA NOTES	
TABLE ID:	S0101
SURVEY/PROGRAM:	American Community Survey
VINTAGE:	2022
DATASET:	ACSST5Y2022
PRODUCT:	ACS 5-Year Estimates Subject Tables
UNIVERSE:	None
MLA:	U.S. Census Bureau. "Age and Sex." American Community Survey, ACS 5-Year Estimates Subject Tables, Table S0101, 2022, https://data.census.gov/table/ACSST5Y2022.S0101?g=860XX00US87102,87105,87107,87108. Accessed on April 30, 2024.
FTP URL:	None
API URL:	https://api.census.gov/data/2022/acs/acs5/subject
USER SELECTIONS	
GEOS	ZCTA5 87105; ZCTA5 87107; ZCTA5 87102; ZCTA5 87108
EXCLUDED COLUMNS	None
APPLIED FILTERS	None
APPLIED SORTS	None
PIVOT & GROUPING	
PIVOT COLUMNS	None
PIVOT MODE	Off
ROW GROUPS	None
VALUE COLUMNS	None
WEB ADDRESS	https://data.census.gov/table/ACSST5Y2022.S0101?g=860XX00US87102,87105,87107,87108
TABLE NOTES	
	Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, the decennial census is the official source of population totals for April 1st of each decennial year. In between censuses, the Census Bureau's Population Estimates Program produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.
	Information about the American Community Survey (ACS) can be found on the ACS website. Supporting documentation including code lists, subject definitions, data accuracy, and statistical testing, and a full list of ACS tables and table shells (without estimates) can be found on the Technical Documentation section of the ACS website. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.
	Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates

	Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.
	The age dependency ratio is derived by dividing the combined under-18 and 65-and-over populations by the 18-to-64 population and multiplying by 100.
	The old-age dependency ratio is derived by dividing the population 65 and over by the 18-to-64 population and multiplying by 100.
	The child dependency ratio is derived by dividing the population under 18 by the 18-to-64 population and multiplying by 100.
	When information is missing or inconsistent, the Census Bureau logically assigns an acceptable value using the response to a related question or questions. If a logical assignment is not possible, data are filled using a statistical process called allocation, which uses a similar individual or household to provide a donor value. The "Allocated" section is the number of respondents who received an allocated value for a particular subject.
	The 2018-2022 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.
	Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on 2020 Census data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.
	Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.
COLUMN NOTES	None

Table: ACSST5Y2022.S0101

	ZCTA5 87102			
	Total		Percent	
Label	Estimate	Margin of Error	Estimate	Margin of Error
Total population	20,031	±1,667	(X)	(X)
AGE				
Under 5 years	713	±337	3.6%	±1.6
5 to 9 years	831	±261	4.1%	±1.1
10 to 14 years	1,058	±373	5.3%	±1.6
15 to 19 years	1,189	±388	5.9%	±1.8
20 to 24 years	1,600	±450	8.0%	±2.1
25 to 29 years	2,156	±365	10.8%	±1.7
30 to 34 years	2,274	±535	11.4%	±2.6
35 to 39 years	1,543	±402	7.7%	±1.8
40 to 44 years	1,229	±377	6.1%	±1.7
45 to 49 years	892	±224	4.5%	±1.2
50 to 54 years	1,259	±287	6.3%	±1.5
55 to 59 years	1,413	±316	7.1%	±1.5
60 to 64 years	1,119	±325	5.6%	±1.6
65 to 69 years	987	±205	4.9%	±1.1
70 to 74 years	774	±163	3.9%	±0.9
75 to 79 years	265	±130	1.3%	±0.7
80 to 84 years	275	±148	1.4%	±0.8
85 years and over	454	±135	2.3%	±0.7
SELECTED AGE CATEGORIES				
5 to 14 years	1,889	±480	9.4%	±1.9
15 to 17 years	627	±307	3.1%	±1.5
Under 18 years	3,229	±740	16.1%	±2.8
18 to 24 years	2,162	±513	10.8%	±2.3
15 to 44 years	9,991	±1,097	49.9%	±2.7
16 years and over	17,316	±1,232	86.4%	±2.5
18 years and over	16,802	±1,176	83.9%	±2.8

Table: ACSST5Y2022.S0101

	Male		**Percent Male**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
Total population	10,246	±975	(X)	(X)
AGE				
Under 5 years	374	±181	3.7%	±1.7
5 to 9 years	374	±176	3.7%	±1.6
10 to 14 years	499	±220	4.9%	±2.0
15 to 19 years	535	±254	5.2%	±2.4
20 to 24 years	1,026	±318	10.0%	±3.0
25 to 29 years	1,008	±293	9.8%	±2.7
30 to 34 years	1,015	±270	9.9%	±2.5
35 to 39 years	699	±238	6.8%	±2.3
40 to 44 years	687	±243	6.7%	±2.2
45 to 49 years	538	±173	5.3%	±1.7
50 to 54 years	715	±233	7.0%	±2.3
55 to 59 years	887	±270	8.7%	±2.5
60 to 64 years	721	±303	7.0%	±2.8
65 to 69 years	490	±138	4.8%	±1.4
70 to 74 years	377	±129	3.7%	±1.3
75 to 79 years	77	±53	0.8%	±0.5
80 to 84 years	100	±69	1.0%	±0.7
85 years and over	124	±63	1.2%	±0.6
SELECTED AGE CATEGORIES				
5 to 14 years	873	±298	8.5%	±2.6
15 to 17 years	280	±147	2.7%	±1.4
Under 18 years	1,527	±440	14.9%	±3.6
18 to 24 years	1,281	±311	12.5%	±2.7
15 to 44 years	4,970	±639	48.5%	±3.9
16 years and over	8,911	±808	87.0%	±3.1
18 years and over	8,719	±781	85.1%	±3.6

Table: ACSST5Y2022.S0101

	Female		**Percent Female**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
Total population	9,785	±1,050	(X)	(X)
AGE				
Under 5 years	339	±229	3.5%	±2.3
5 to 9 years	457	±180	4.7%	±1.8
10 to 14 years	559	±227	5.7%	±2.1
15 to 19 years	654	±364	6.7%	±3.4
20 to 24 years	574	±197	5.9%	±2.0
25 to 29 years	1,148	±283	11.7%	±2.9
30 to 34 years	1,259	±489	12.9%	±4.7
35 to 39 years	844	±296	8.6%	±2.6
40 to 44 years	542	±207	5.5%	±2.0
45 to 49 years	354	±121	3.6%	±1.3
50 to 54 years	544	±183	5.6%	±1.8
55 to 59 years	526	±140	5.4%	±1.5
60 to 64 years	398	±125	4.1%	±1.4
65 to 69 years	497	±147	5.1%	±1.5
70 to 74 years	397	±103	4.1%	±1.1
75 to 79 years	188	±111	1.9%	±1.2
80 to 84 years	175	±125	1.8%	±1.3
85 years and over	330	±115	3.4%	±1.1
SELECTED AGE CATEGORIES				
5 to 14 years	1,016	±305	10.4%	±2.7
15 to 17 years	347	±311	3.5%	±3.1
Under 18 years	1,702	±477	17.4%	±3.9
18 to 24 years	881	±300	9.0%	±2.8
15 to 44 years	5,021	±797	51.3%	±4.1
16 years and over	8,405	±861	85.9%	±3.3
18 years and over	8,083	±786	82.6%	±3.9

Table: ACSST5Y2022.S0101

	ZCTA5 87105			
	Total		Percent	
Label	Estimate	Margin of Error	Estimate	Margin of Error
Total population	55,295	±2,179	(X)	(X)
AGE				
Under 5 years	3,248	±714	5.9%	±1.2
5 to 9 years	3,289	±505	5.9%	±0.9
10 to 14 years	4,310	±831	7.8%	±1.4
15 to 19 years	3,698	±544	6.7%	±0.9
20 to 24 years	3,881	±627	7.0%	±1.1
25 to 29 years	3,140	±621	5.7%	±1.1
30 to 34 years	3,474	±534	6.3%	±0.9
35 to 39 years	3,528	±514	6.4%	±0.9
40 to 44 years	4,041	±540	7.3%	±0.9
45 to 49 years	2,842	±484	5.1%	±0.8
50 to 54 years	2,994	±465	5.4%	±0.9
55 to 59 years	3,409	±476	6.2%	±0.9
60 to 64 years	3,473	±477	6.3%	±0.9
65 to 69 years	3,184	±509	5.8%	±0.9
70 to 74 years	2,858	±532	5.2%	±1.0
75 to 79 years	1,799	±395	3.3%	±0.7
80 to 84 years	1,124	±220	2.0%	±0.4
85 years and over	1,003	±240	1.8%	±0.4
SELECTED AGE CATEGORIES				
5 to 14 years	7,599	±1,051	13.7%	±1.6
15 to 17 years	2,043	±353	3.7%	±0.6
Under 18 years	12,890	±1,488	23.3%	±2.2
18 to 24 years	5,536	±741	10.0%	±1.3
15 to 44 years	21,762	±1,201	39.4%	±1.6
16 years and over	43,572	±1,673	78.8%	±2.1
18 years and over	42,405	±1,610	76.7%	±2.2

Table: ACSST5Y2022.S0101

	Male		**Percent Male**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
Total population	28,035	±1,330	(X)	(X)
AGE				
Under 5 years	1,795	±421	6.4%	±1.4
5 to 9 years	1,824	±404	6.5%	±1.3
10 to 14 years	1,961	±407	7.0%	±1.4
15 to 19 years	1,509	±278	5.4%	±1.0
20 to 24 years	2,029	±435	7.2%	±1.5
25 to 29 years	1,704	±447	6.1%	±1.6
30 to 34 years	1,990	±477	7.1%	±1.6
35 to 39 years	1,811	±362	6.5%	±1.2
40 to 44 years	2,632	±438	9.4%	±1.5
45 to 49 years	1,115	±256	4.0%	±0.9
50 to 54 years	1,682	±325	6.0%	±1.2
55 to 59 years	1,674	±314	6.0%	±1.1
60 to 64 years	1,562	±284	5.6%	±1.1
65 to 69 years	1,725	±378	6.2%	±1.3
70 to 74 years	1,241	±285	4.4%	±1.0
75 to 79 years	927	±227	3.3%	±0.8
80 to 84 years	479	±148	1.7%	±0.5
85 years and over	375	±126	1.3%	±0.4
SELECTED AGE CATEGORIES				
5 to 14 years	3,785	±600	13.5%	±1.9
15 to 17 years	965	±250	3.4%	±0.9
Under 18 years	6,545	±809	23.3%	±2.4
18 to 24 years	2,573	±438	9.2%	±1.5
15 to 44 years	11,675	±825	41.6%	±2.2
16 years and over	22,022	±1,117	78.6%	±2.4
18 years and over	21,490	±1,101	76.7%	±2.4

Table: ACSST5Y2022.S0101

	Female		**Percent Female**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
Total population	27,260	±1,415	(X)	(X)
AGE				
Under 5 years	1,453	±434	5.3%	±1.5
5 to 9 years	1,465	±322	5.4%	±1.2
10 to 14 years	2,349	±573	8.6%	±1.9
15 to 19 years	2,189	±495	8.0%	±1.6
20 to 24 years	1,852	±361	6.8%	±1.3
25 to 29 years	1,436	±347	5.3%	±1.2
30 to 34 years	1,484	±276	5.4%	±1.0
35 to 39 years	1,717	±374	6.3%	±1.4
40 to 44 years	1,409	±295	5.2%	±1.1
45 to 49 years	1,727	±355	6.3%	±1.2
50 to 54 years	1,312	±287	4.8%	±1.0
55 to 59 years	1,735	±292	6.4%	±1.1
60 to 64 years	1,911	±388	7.0%	±1.4
65 to 69 years	1,459	±289	5.4%	±1.1
70 to 74 years	1,617	±384	5.9%	±1.5
75 to 79 years	872	±248	3.2%	±0.9
80 to 84 years	645	±163	2.4%	±0.6
85 years and over	628	±191	2.3%	±0.7
SELECTED AGE CATEGORIES				
5 to 14 years	3,814	±656	14.0%	±2.1
15 to 17 years	1,078	±284	4.0%	±1.0
Under 18 years	6,345	±895	23.3%	±2.6
18 to 24 years	2,963	±562	10.9%	±1.8
15 to 44 years	10,087	±765	37.0%	±2.1
16 years and over	21,550	±1,068	79.1%	±2.5
18 years and over	20,915	±1,011	76.7%	±2.6

Table: ACSST5Y2022.S0101

	ZCTA5 87107			
	Total		Percent	
Label	Estimate	Margin of Error	Estimate	Margin of Error
Total population	27,873	±1,380	(X)	(X)
AGE				
Under 5 years	1,505	±376	5.4%	±1.3
5 to 9 years	1,069	±228	3.8%	±0.8
10 to 14 years	1,085	±261	3.9%	±0.9
15 to 19 years	1,586	±392	5.7%	±1.3
20 to 24 years	1,826	±412	6.6%	±1.4
25 to 29 years	1,911	±386	6.9%	±1.4
30 to 34 years	2,388	±492	8.6%	±1.7
35 to 39 years	1,330	±357	4.8%	±1.2
40 to 44 years	1,579	±353	5.7%	±1.2
45 to 49 years	1,242	±332	4.5%	±1.2
50 to 54 years	1,797	±378	6.4%	±1.4
55 to 59 years	2,097	±468	7.5%	±1.6
60 to 64 years	2,410	±481	8.6%	±1.6
65 to 69 years	2,130	±471	7.6%	±1.7
70 to 74 years	1,696	±297	6.1%	±1.1
75 to 79 years	857	±217	3.1%	±0.8
80 to 84 years	847	±224	3.0%	±0.8
85 years and over	518	±153	1.9%	±0.6
SELECTED AGE CATEGORIES				
5 to 14 years	2,154	±341	7.7%	±1.3
15 to 17 years	1,041	±308	3.7%	±1.1
Under 18 years	4,700	±648	16.9%	±2.1
18 to 24 years	2,371	±449	8.5%	±1.5
15 to 44 years	10,620	±894	38.1%	±2.3
16 years and over	23,704	±1,274	85.0%	±1.9
18 years and over	23,173	±1,258	83.1%	±2.1

Table: ACSST5Y2022.S0101

	Male		**Percent Male**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
Total population	13,706	±884	(X)	(X)
AGE				
Under 5 years	834	±235	6.1%	±1.6
5 to 9 years	539	±196	3.9%	±1.5
10 to 14 years	575	±207	4.2%	±1.5
15 to 19 years	760	±243	5.5%	±1.7
20 to 24 years	995	±356	7.3%	±2.5
25 to 29 years	859	±238	6.3%	±1.7
30 to 34 years	1,377	±390	10.0%	±2.7
35 to 39 years	703	±241	5.1%	±1.7
40 to 44 years	676	±277	4.9%	±2.0
45 to 49 years	726	±233	5.3%	±1.7
50 to 54 years	792	±182	5.8%	±1.4
55 to 59 years	948	±361	6.9%	±2.6
60 to 64 years	1,175	±280	8.6%	±1.9
65 to 69 years	981	±296	7.2%	±2.1
70 to 74 years	892	±209	6.5%	±1.5
75 to 79 years	335	±125	2.4%	±0.9
80 to 84 years	361	±121	2.6%	±0.9
85 years and over	178	±82	1.3%	±0.6
SELECTED AGE CATEGORIES				
5 to 14 years	1,114	±290	8.1%	±2.2
15 to 17 years	493	±177	3.6%	±1.2
Under 18 years	2,441	±404	17.8%	±2.8
18 to 24 years	1,262	±350	9.2%	±2.4
15 to 44 years	5,370	±637	39.2%	±3.2
16 years and over	11,512	±821	84.0%	±2.6
18 years and over	11,265	±838	82.2%	±2.8

Table: ACSST5Y2022.S0101

	Female		**Percent Female**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
Total population	14,167	±948	(X)	(X)
AGE				
Under 5 years	671	±220	4.7%	±1.5
5 to 9 years	530	±166	3.7%	±1.2
10 to 14 years	510	±160	3.6%	±1.1
15 to 19 years	826	±298	5.8%	±2.0
20 to 24 years	831	±244	5.9%	±1.6
25 to 29 years	1,052	±265	7.4%	±1.9
30 to 34 years	1,011	±297	7.1%	±1.9
35 to 39 years	627	±186	4.4%	±1.4
40 to 44 years	903	±273	6.4%	±1.8
45 to 49 years	516	±162	3.6%	±1.2
50 to 54 years	1,005	±280	7.1%	±1.9
55 to 59 years	1,149	±266	8.1%	±1.9
60 to 64 years	1,235	±274	8.7%	±1.9
65 to 69 years	1,149	±297	8.1%	±2.0
70 to 74 years	804	±184	5.7%	±1.3
75 to 79 years	522	±184	3.7%	±1.3
80 to 84 years	486	±177	3.4%	±1.2
85 years and over	340	±143	2.4%	±1.0
SELECTED AGE CATEGORIES				
5 to 14 years	1,040	±227	7.3%	±1.6
15 to 17 years	548	±253	3.9%	±1.7
Under 18 years	2,259	±458	15.9%	±2.8
18 to 24 years	1,109	±314	7.8%	±2.1
15 to 44 years	5,250	±644	37.1%	±3.3
16 years and over	12,192	±845	86.1%	±2.6
18 years and over	11,908	±815	84.1%	±2.8

Table: ACSST5Y2022.S0101

	ZCTA5 87108			
	Total		Percent	
Label	Estimate	Margin of Error	Estimate	Margin of Error
Total population	36,147	±2,382	(X)	(X)
AGE				
Under 5 years	1,869	±640	5.2%	±1.6
5 to 9 years	2,275	±740	6.3%	±1.9
10 to 14 years	2,106	±547	5.8%	±1.3
15 to 19 years	2,153	±383	6.0%	±1.0
20 to 24 years	2,671	±530	7.4%	±1.5
25 to 29 years	2,624	±479	7.3%	±1.2
30 to 34 years	2,683	±515	7.4%	±1.3
35 to 39 years	2,618	±443	7.2%	±1.2
40 to 44 years	2,341	±465	6.5%	±1.3
45 to 49 years	1,837	±375	5.1%	±1.0
50 to 54 years	2,492	±482	6.9%	±1.3
55 to 59 years	2,210	±397	6.1%	±1.0
60 to 64 years	2,447	±463	6.8%	±1.2
65 to 69 years	1,907	±377	5.3%	±1.1
70 to 74 years	1,848	±436	5.1%	±1.2
75 to 79 years	788	±196	2.2%	±0.6
80 to 84 years	438	±163	1.2%	±0.5
85 years and over	840	±240	2.3%	±0.7
SELECTED AGE CATEGORIES				
5 to 14 years	4,381	±934	12.1%	±2.1
15 to 17 years	1,165	±244	3.2%	±0.6
Under 18 years	7,415	±1,372	20.5%	±2.8
18 to 24 years	3,659	±586	10.1%	±1.6
15 to 44 years	15,090	±1,146	41.7%	±2.3
16 years and over	29,616	±1,539	81.9%	±2.7
18 years and over	28,732	±1,451	79.5%	±2.8

Table: ACSST5Y2022.S0101

	Male		**Percent Male**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
Total population	18,456	±1,827	(X)	(X)
AGE				
Under 5 years	995	±524	5.4%	±2.6
5 to 9 years	1,520	±706	8.2%	±3.5
10 to 14 years	962	±371	5.2%	±1.8
15 to 19 years	957	±284	5.2%	±1.4
20 to 24 years	1,574	±449	8.5%	±2.3
25 to 29 years	1,336	±306	7.2%	±1.5
30 to 34 years	1,678	±384	9.1%	±1.9
35 to 39 years	1,173	±267	6.4%	±1.6
40 to 44 years	1,038	±258	5.6%	±1.5
45 to 49 years	879	±269	4.8%	±1.5
50 to 54 years	1,485	±393	8.0%	±2.0
55 to 59 years	1,086	±276	5.9%	±1.3
60 to 64 years	1,255	±371	6.8%	±2.0
65 to 69 years	969	±259	5.3%	±1.5
70 to 74 years	837	±208	4.5%	±1.1
75 to 79 years	382	±139	2.1%	±0.8
80 to 84 years	111	±66	0.6%	±0.4
85 years and over	219	±92	1.2%	±0.5
SELECTED AGE CATEGORIES				
5 to 14 years	2,482	±789	13.4%	±3.5
15 to 17 years	490	±196	2.7%	±1.0
Under 18 years	3,967	±1,070	21.5%	±4.1
18 to 24 years	2,041	±497	11.1%	±2.4
15 to 44 years	7,756	±823	42.0%	±3.4
16 years and over	14,926	±1,125	80.9%	±3.9
18 years and over	14,489	±1,073	78.5%	±4.1

Table: ACSST5Y2022.S0101

	Female		**Percent Female**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
Total population	17,691	±1,360	(X)	(X)
AGE				
Under 5 years	874	±314	4.9%	±1.6
5 to 9 years	755	±292	4.3%	±1.5
10 to 14 years	1,144	±346	6.5%	±1.7
15 to 19 years	1,196	±298	6.8%	±1.6
20 to 24 years	1,097	±298	6.2%	±1.7
25 to 29 years	1,288	±353	7.3%	±1.9
30 to 34 years	1,005	±324	5.7%	±1.8
35 to 39 years	1,445	±385	8.2%	±2.1
40 to 44 years	1,303	±362	7.4%	±1.9
45 to 49 years	958	±229	5.4%	±1.2
50 to 54 years	1,007	±226	5.7%	±1.2
55 to 59 years	1,124	±287	6.4%	±1.6
60 to 64 years	1,192	±232	6.7%	±1.3
65 to 69 years	938	±216	5.3%	±1.2
70 to 74 years	1,011	±299	5.7%	±1.6
75 to 79 years	406	±149	2.3%	±0.8
80 to 84 years	327	±150	1.8%	±0.8
85 years and over	621	±217	3.5%	±1.2
SELECTED AGE CATEGORIES				
5 to 14 years	1,899	±501	10.7%	±2.4
15 to 17 years	675	±188	3.8%	±1.0
Under 18 years	3,448	±712	19.5%	±3.1
18 to 24 years	1,618	±355	9.1%	±2.0
15 to 44 years	7,334	±697	41.5%	±2.9
16 years and over	14,690	±1,025	83.0%	±3.0
18 years and over	14,243	±985	80.5%	±3.1

Table: ACSST5Y2022.S0101

	ZCTA5 87102			
	Total		Percent	
Label	Estimate	Margin of Error	Estimate	Margin of Error
21 years and over	16,032	±1,125	80.0%	±3.2
60 years and over	3,874	±455	19.3%	±2.5
62 years and over	3,555	±422	17.7%	±2.4
65 years and over	2,755	±335	13.8%	±1.9
75 years and over	994	±255	5.0%	±1.3
SUMMARY INDICATORS				
Median age (years)	35.6	±1.8	(X)	(X)
Sex ratio (males per 100 females)	104.7	±12.2	(X)	(X)
Age dependency ratio	42.6	±5.4	(X)	(X)
Old-age dependency ratio	19.6	±3.1	(X)	(X)
Child dependency ratio	23.0	±4.6	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	0.1%	(X)
Age	(X)	(X)	0.9%	(X)

	Male		**Percent Male**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
21 years and over	8,293	±781	80.9%	±4.1
60 years and over	1,889	±351	18.4%	±3.3
62 years and over	1,723	±341	16.8%	±3.2
65 years and over	1,168	±227	11.4%	±2.4
75 years and over	301	±104	2.9%	±1.0
SUMMARY INDICATORS				
Median age (years)	37.1	±3.3	(X)	(X)
Sex ratio (males per 100 females)	(X)	(X)	(X)	(X)
Age dependency ratio	(X)	(X)	(X)	(X)
Old-age dependency ratio	(X)	(X)	(X)	(X)
Child dependency ratio	(X)	(X)	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	(X)	(X)
Age	(X)	(X)	(X)	(X)

	Female		**Percent Female**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
21 years and over	7,739	±707	79.1%	±4.4
60 years and over	1,985	±269	20.3%	±3.2
62 years and over	1,832	±241	18.7%	±3.0
65 years and over	1,587	±223	16.2%	±2.6
75 years and over	693	±192	7.1%	±2.1
SUMMARY INDICATORS				
Median age (years)	34.5	±1.8	(X)	(X)
Sex ratio (males per 100 females)	(X)	(X)	(X)	(X)
Age dependency ratio	(X)	(X)	(X)	(X)
Old-age dependency ratio	(X)	(X)	(X)	(X)
Child dependency ratio	(X)	(X)	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	(X)	(X)
Age	(X)	(X)	(X)	(X)

Table: ACSST5Y2022.S0101

	ZCTA5 87105			
	Total		Percent	
Label	Estimate	Margin of Error	Estimate	Margin of Error
21 years and over	39,843	±1,544	72.1%	±2.2
60 years and over	13,441	±943	24.3%	±1.8
62 years and over	12,095	±905	21.9%	±1.7
65 years and over	9,968	±867	18.0%	±1.6
75 years and over	3,926	±496	7.1%	±0.9
SUMMARY INDICATORS				
Median age (years)	38.8	±1.4	(X)	(X)
Sex ratio (males per 100 females)	102.8	±6.2	(X)	(X)
Age dependency ratio	70.5	±5.7	(X)	(X)
Old-age dependency ratio	30.7	±3.3	(X)	(X)
Child dependency ratio	39.7	±4.7	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	0.1%	(X)
Age	(X)	(X)	2.0%	(X)

Table: ACSST5Y2022.S0101

	Male		**Percent Male**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
21 years and over	20,597	±1,082	73.5%	±2.4
60 years and over	6,309	±572	22.5%	±1.9
62 years and over	5,647	±559	20.1%	±1.9
65 years and over	4,747	±540	16.9%	±1.8
75 years and over	1,781	±303	6.4%	±1.1
SUMMARY INDICATORS				
Median age (years)	38.3	±2.1	(X)	(X)
Sex ratio (males per 100 females)	(X)	(X)	(X)	(X)
Age dependency ratio	(X)	(X)	(X)	(X)
Old-age dependency ratio	(X)	(X)	(X)	(X)
Child dependency ratio	(X)	(X)	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	(X)	(X)
Age	(X)	(X)	(X)	(X)

	Female		**Percent Female**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
21 years and over	19,246	±873	70.6%	±2.9
60 years and over	7,132	±632	26.2%	±2.5
62 years and over	6,448	±606	23.7%	±2.4
65 years and over	5,221	±527	19.2%	±2.1
75 years and over	2,145	±332	7.9%	±1.2
SUMMARY INDICATORS				
Median age (years)	39.3	±1.8	(X)	(X)
Sex ratio (males per 100 females)	(X)	(X)	(X)	(X)
Age dependency ratio	(X)	(X)	(X)	(X)
Old-age dependency ratio	(X)	(X)	(X)	(X)
Child dependency ratio	(X)	(X)	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	(X)	(X)
Age	(X)	(X)	(X)	(X)

Table: ACSST5Y2022.S0101

	ZCTA5 87107			
	Total		Percent	
Label	Estimate	Margin of Error	Estimate	Margin of Error
21 years and over	22,254	±1,247	79.8%	±2.5
60 years and over	8,458	±853	30.3%	±2.8
62 years and over	7,619	±763	27.3%	±2.5
65 years and over	6,048	±631	21.7%	±2.2
75 years and over	2,222	±369	8.0%	±1.3
SUMMARY INDICATORS				
Median age (years)	44.0	±3.0	(X)	(X)
Sex ratio (males per 100 females)	96.7	±8.4	(X)	(X)
Age dependency ratio	62.8	±5.9	(X)	(X)
Old-age dependency ratio	35.3	±4.4	(X)	(X)
Child dependency ratio	27.4	±4.0	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	0.0%	(X)
Age	(X)	(X)	1.1%	(X)

	Male		**Percent Male**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
21 years and over	10,792	±875	78.7%	±3.4
60 years and over	3,922	±533	28.6%	±3.6
62 years and over	3,572	±523	26.1%	±3.6
65 years and over	2,747	±406	20.0%	±2.9
75 years and over	874	±184	6.4%	±1.4
SUMMARY INDICATORS				
Median age (years)	41.3	±3.8	(X)	(X)
Sex ratio (males per 100 females)	(X)	(X)	(X)	(X)
Age dependency ratio	(X)	(X)	(X)	(X)
Old-age dependency ratio	(X)	(X)	(X)	(X)
Child dependency ratio	(X)	(X)	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	(X)	(X)
Age	(X)	(X)	(X)	(X)

	Female		**Percent Female**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
21 years and over	11,462	±787	80.9%	±3.2
60 years and over	4,536	±494	32.0%	±3.0
62 years and over	4,047	±472	28.6%	±2.9
65 years and over	3,301	±441	23.3%	±2.7
75 years and over	1,348	±309	9.5%	±2.0
SUMMARY INDICATORS				
Median age (years)	46.6	±4.9	(X)	(X)
Sex ratio (males per 100 females)	(X)	(X)	(X)	(X)
Age dependency ratio	(X)	(X)	(X)	(X)
Old-age dependency ratio	(X)	(X)	(X)	(X)
Child dependency ratio	(X)	(X)	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	(X)	(X)
Age	(X)	(X)	(X)	(X)

	ZCTA5 87108			
	Total		Percent	
Label	Estimate	Margin of Error	Estimate	Margin of Error
21 years and over	27,033	±1,443	74.8%	±2.5
60 years and over	8,268	±805	22.9%	±2.4
62 years and over	7,355	±723	20.3%	±2.3
65 years and over	5,821	±608	16.1%	±1.9
75 years and over	2,066	±321	5.7%	±1.0
SUMMARY INDICATORS				
Median age (years)	38.1	±2.1	(X)	(X)
Sex ratio (males per 100 females)	104.3	±12.4	(X)	(X)
Age dependency ratio	57.8	±5.7	(X)	(X)
Old-age dependency ratio	25.4	±3.3	(X)	(X)
Child dependency ratio	32.4	±5.3	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	0.1%	(X)
Age	(X)	(X)	1.5%	(X)

Table: ACSST5Y2022.S0101

	Male		**Percent Male**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
21 years and over	13,732	±1,018	74.4%	±4.4
60 years and over	3,773	±559	20.4%	±3.2
62 years and over	3,346	±496	18.1%	±3.0
65 years and over	2,518	±374	13.6%	±2.3
75 years and over	712	±172	3.9%	±1.0
SUMMARY INDICATORS				
Median age (years)	36.0	±3.2	(X)	(X)
Sex ratio (males per 100 females)	(X)	(X)	(X)	(X)
Age dependency ratio	(X)	(X)	(X)	(X)
Old-age dependency ratio	(X)	(X)	(X)	(X)
Child dependency ratio	(X)	(X)	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	(X)	(X)
Age	(X)	(X)	(X)	(X)

	Female		**Percent Female**	
Label	**Estimate**	**Margin of Error**	**Estimate**	**Margin of Error**
21 years and over	13,301	±981	75.2%	±3.0
60 years and over	4,495	±504	25.4%	±2.7
62 years and over	4,009	±487	22.7%	±2.5
65 years and over	3,303	±436	18.7%	±2.2
75 years and over	1,354	±283	7.7%	±1.6
SUMMARY INDICATORS				
Median age (years)	40.1	±2.4	(X)	(X)
Sex ratio (males per 100 females)	(X)	(X)	(X)	(X)
Age dependency ratio	(X)	(X)	(X)	(X)
Old-age dependency ratio	(X)	(X)	(X)	(X)
Child dependency ratio	(X)	(X)	(X)	(X)
PERCENT ALLOCATED				
Sex	(X)	(X)	(X)	(X)
Age	(X)	(X)	(X)	(X)

Exhibit R

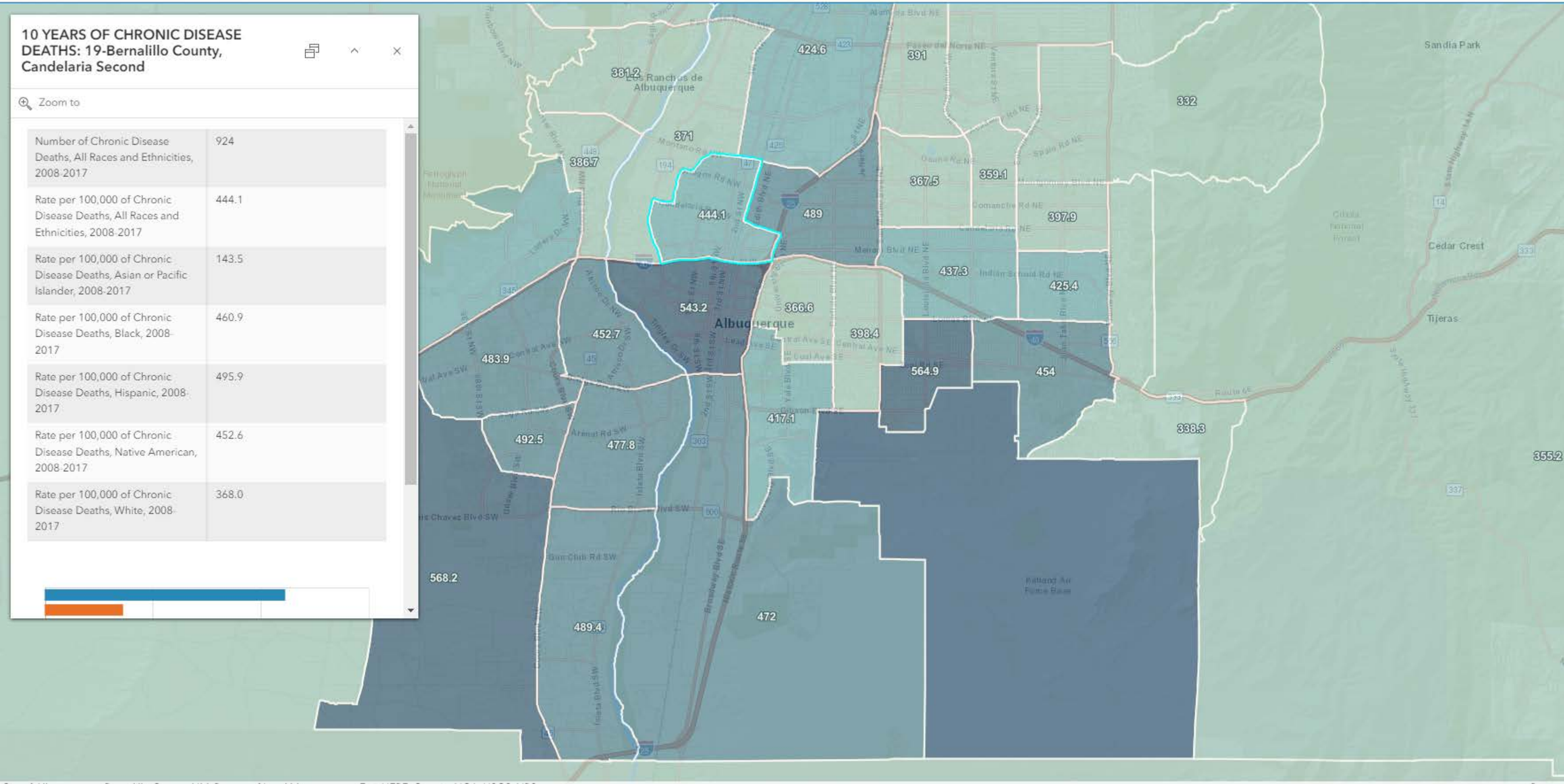

10 YEARS OF CHRONIC DISEASE DEATHS: 19-Bernalillo County, Candelaria Second
Zoom to
Number of Chronic Disease Deaths, All Races and Ethnicities, 2008-2017 924
Rate per 100,000 of Chronic Disease Deaths, All Races and Ethnicities, 2008-2017 444.1
Rate per 100,000 of Chronic Disease Deaths, Asian or Pacific Islander, 2008-2017 143.5
Rate per 100,000 of Chronic Disease Deaths, Black, 2008-2017 460.9
Rate per 100,000 of Chronic Disease Deaths, Hispanic, 2008-2017 495.9
Rate per 100,000 of Chronic Disease Deaths, Native American, 2008-2017 452.6
Rate per 100,000 of Chronic Disease Deaths, White, 2008-2017 368.0
424.6
391
381.2
Los Ranchos de Albuquerque
332
371
386.7
367.5
359.1
444.1
489
397.9
437.3
425.4
543.2
366.6
Albuquerque
452.7
398.4
483.9
564.9
454
417.1
492.5
477.8
338.3
355.2
568.2
489.4
472
Sandia Park
Cedar Crest
Tijeras
Kirtland Air Force Base

Exhibit S

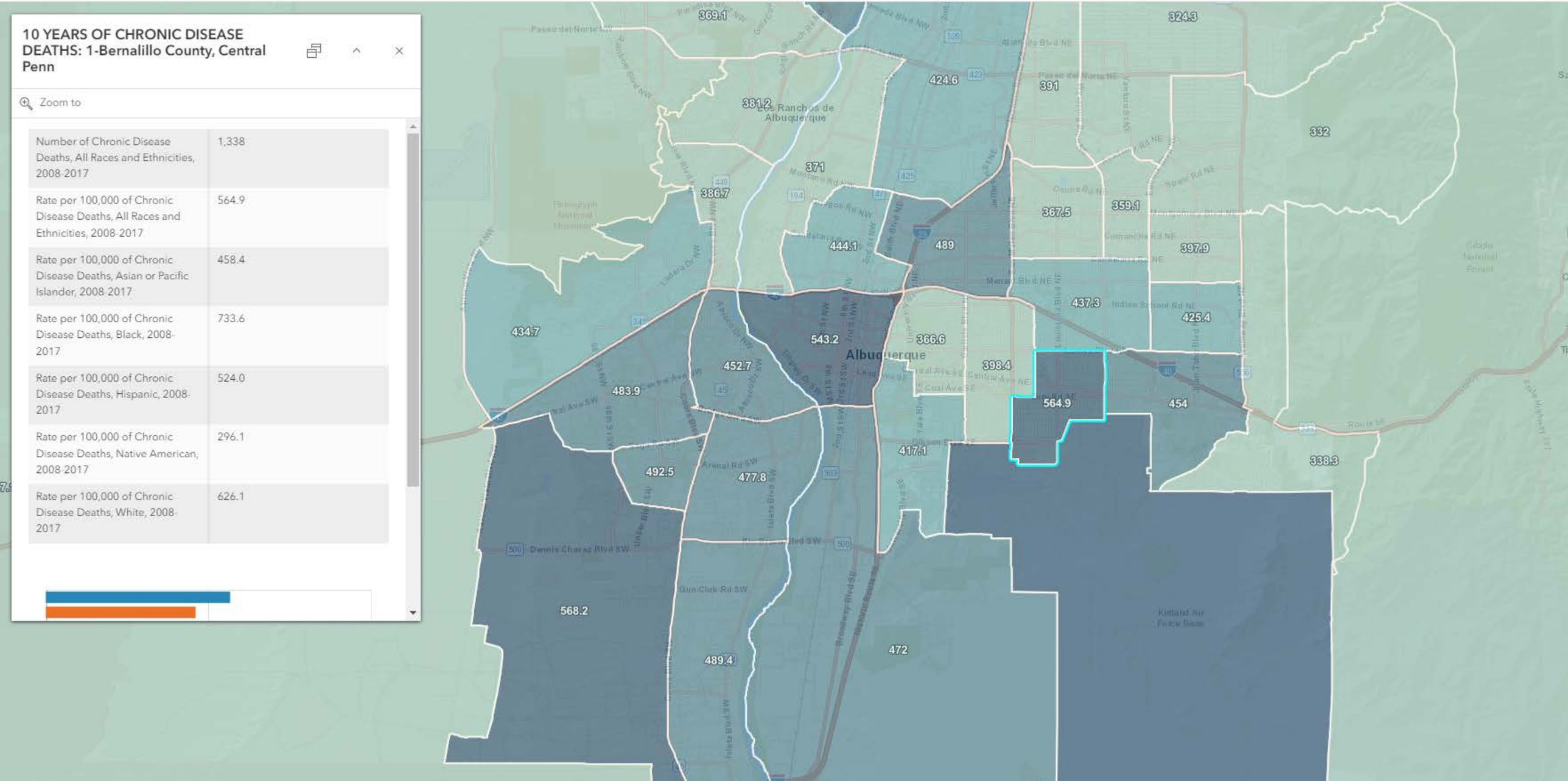

10 YEARS OF CHRONIC DISEASE DEATHS: 1-Bernalillo County, Central Penn
Zoom to
Number of Chronic Disease Deaths, All Races and Ethnicities, 2008-2017 1,338
Rate per 100,000 of Chronic Disease Deaths, All Races and Ethnicities, 2008-2017 564.9
Rate per 100,000 of Chronic Disease Deaths, Asian or Pacific Islander, 2008-2017 458.4
Rate per 100,000 of Chronic Disease Deaths, Black, 2008-2017 733.6
Rate per 100,000 of Chronic Disease Deaths, Hispanic, 2008-2017 524.0
Rate per 100,000 of Chronic Disease Deaths, Native American, 2008-2017 296.1
Rate per 100,000 of Chronic Disease Deaths, White, 2008-2017 626.1
369.1
324.3
424.6
391
381.2
Los Ranchos de Albuquerque
332
371
386.7
367.5
359.1
444.1
489
397.9
437.3
425.4
434.7
543.2
366.6
Albuquerque
452.7
398.4
483.9
564.9
454
417.1
492.5
477.8
338.3
568.2
489.4
472
Kirtland Air Force Base

Exhibit T

10 YEARS OF CHRONIC DISEASE DEATHS: 8-Bernalillo County, Lomas Broadway

Zoom to

Number of Chronic Disease Deaths, All Races and Ethnicities, 2008-2017	1,189
Rate per 100,000 of Chronic Disease Deaths, All Races and Ethnicities, 2008-2017	543.2
Rate per 100,000 of Chronic Disease Deaths, Asian or Pacific Islander, 2008-2017	227.6
Rate per 100,000 of Chronic Disease Deaths, Black, 2008-2017	922.5
Rate per 100,000 of Chronic Disease Deaths, Hispanic, 2008-2017	536.8
Rate per 100,000 of Chronic Disease Deaths, Native American, 2008-2017	632.9
Rate per 100,000 of Chronic Disease Deaths, White, 2008-2017	508.8

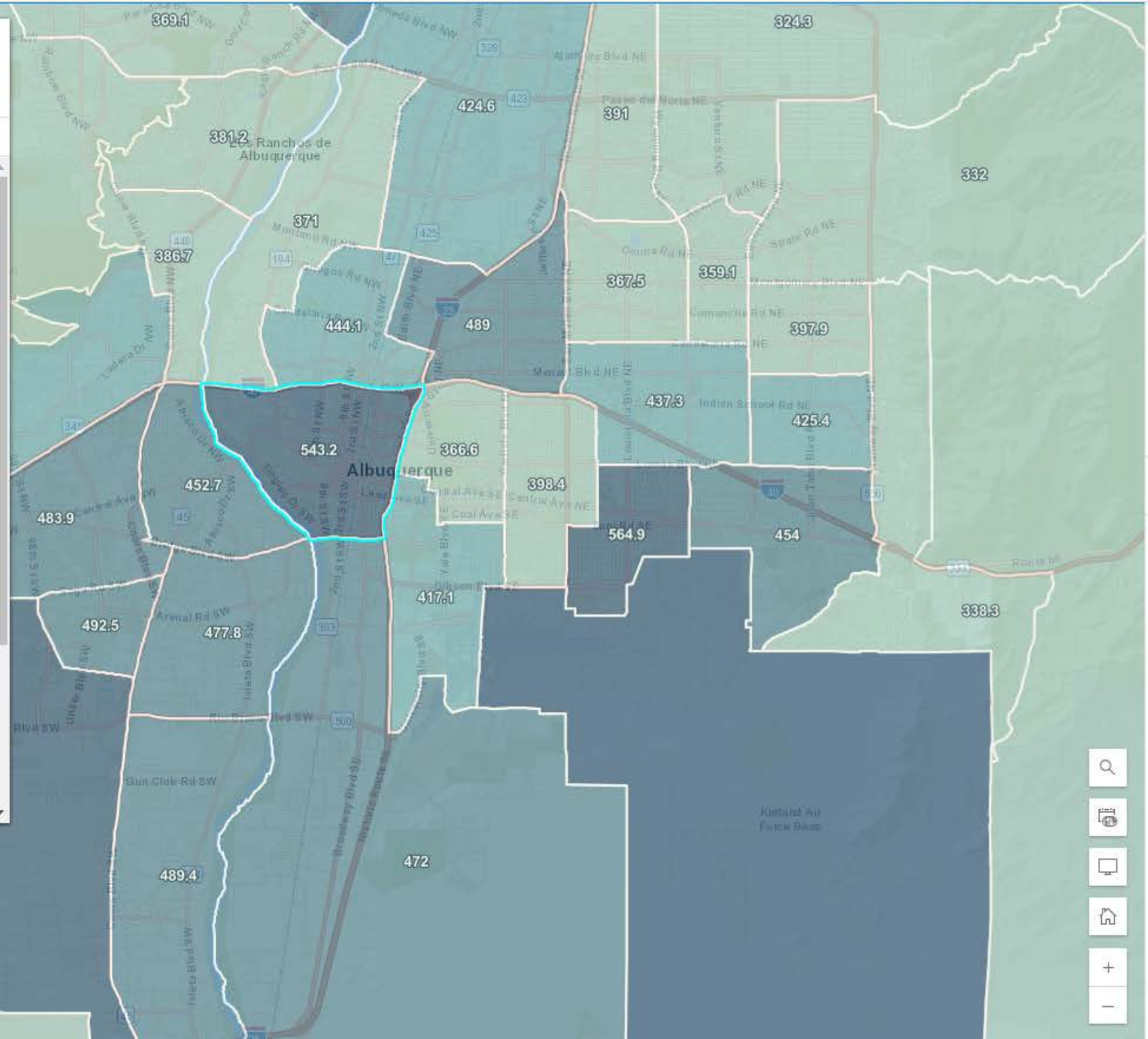
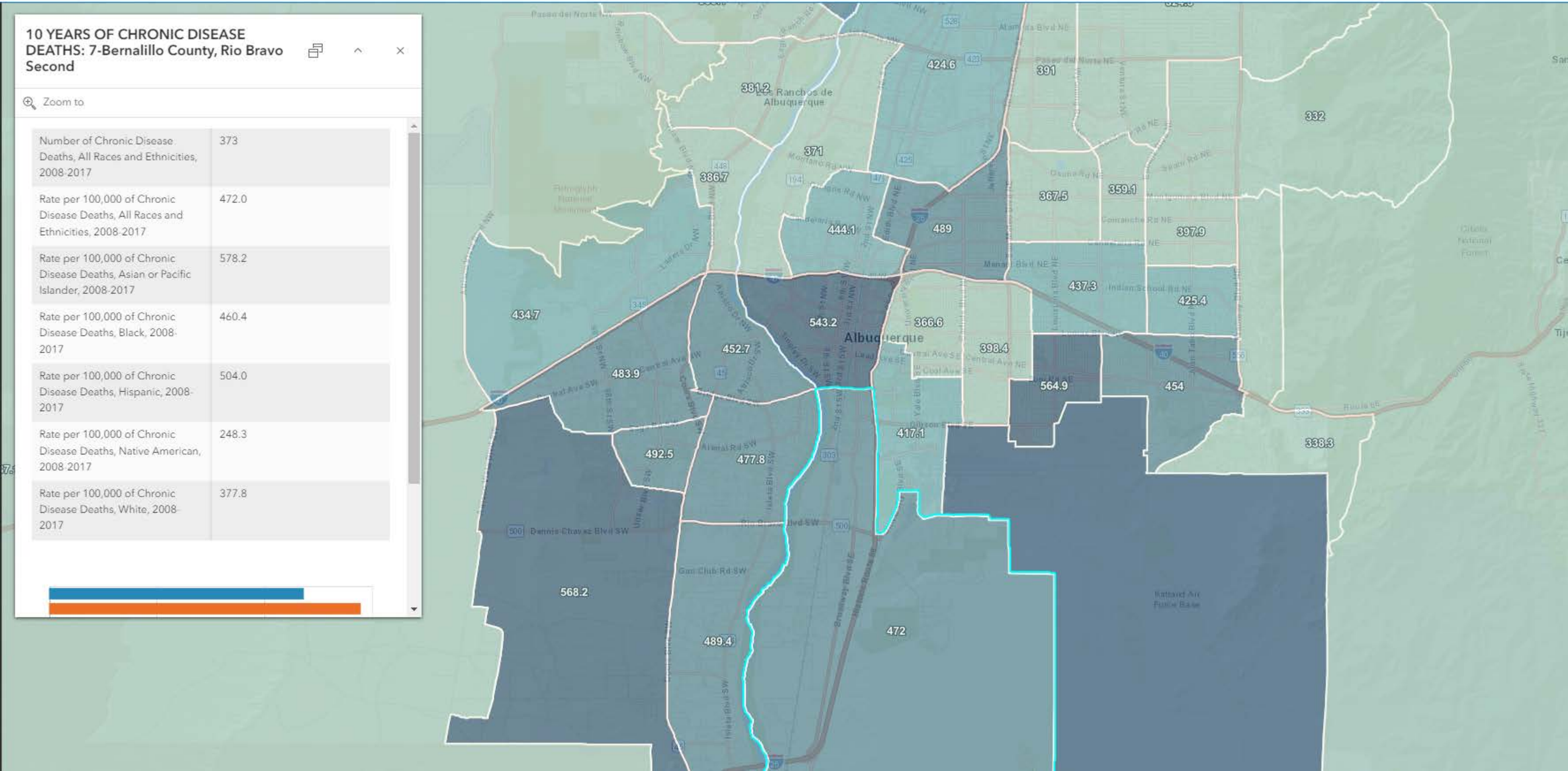


Exhibit U


10 YEARS OF CHRONIC DISEASE DEATHS: 7-Bernalillo County, Rio Bravo Second
Zoom to
Number of Chronic Disease Deaths, All Races and Ethnicities, 2008-2017 373
Rate per 100,000 of Chronic Disease Deaths, All Races and Ethnicities, 2008-2017 472.0
Rate per 100,000 of Chronic Disease Deaths, Asian or Pacific Islander, 2008-2017 578.2
Rate per 100,000 of Chronic Disease Deaths, Black, 2008-2017 460.4
Rate per 100,000 of Chronic Disease Deaths, Hispanic, 2008-2017 504.0
Rate per 100,000 of Chronic Disease Deaths, Native American, 2008-2017 248.3
Rate per 100,000 of Chronic Disease Deaths, White, 2008-2017 377.8
381.2
424.6
391
332
371
386.7
367.5
359.1
444.1
489
397.9
437.3
425.4
434.7
543.2
366.6
Albuquerque
452.7
398.4
483.9
564.9
454
417.1
338.3
492.5
477.8
568.2
489.4
472
Los Ranchos de Albuquerque
Dennis Chavez Blvd SW
San Club Rd SW
Kirtland Air Force Base