



ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



**DRAFT MINUTES – October 9, 2013
Regular Meeting**

**DMD Conference Room, 3rd Floor
Albuquerque-Bernalillo County Government Center
One Civic Plaza NW, Albuquerque, NM 87102**

AQCB MEMBERS PRESENT

Dona Upson, M.D. (City), Chair
Ms. Kelsey Curran (City), Vice Chair
Ms. Jane Cudney-Black (City)
Mr. Jens Deichmann (County)
Naomi Kistin, M.D. (County)
Mr. Jack Sullivan (City)
Mr. Lenton Malry, PhD, (BCPC Liaison)
Ms. Margaret Nieto, Secretary to the Board

AQCB MEMBERS ABSENT

Robert A. Goldstein, M.D. (County)

STAFF PRESENT

Mr. Neal Butt, EH Scientist, AQD
Mr. Bill Grantham, Air Board Attorney
Ms. Adelia Kearny, Deputy City Attorney
Ms. Mary Lou Leonard, Director, EHD
Mr. Fabian Macias, Air Quality Official
Mr. Danny Nevarez, Acting Deputy Director, EHD
Mr. Isreal Tavarez, EH Manager, Permitting

VISITORS PRESENT

Mr. Jonas Berzi
Mr. Aaron Sussman, MRCOG
Ms. Kendra Watkins, MRCOG

DRAFT MEETING MINUTES

CALL TO ORDER

The meeting was called to order by Chair Dr. Dona Upson at 5:37 p.m. on October 9, 2013 with six voting Board members and two non-voting members present: Chair Dr. Dona Upson, M.D., Ms. Kelsey Curran, Ms. Jane Cudney-Black, Mr. Jens Deichmann, Dr. Naomi Kistin, M.D., Mr. Jack Sullivan, Mr. Lenton Malry, Ph.D., and Ms. Margaret Nieto. Absent from the meeting was Dr. Robert Goldstein, M.D.

Item #1 Approval of Agenda (Chair)

Member Curran moved to approve the agenda, followed by a second to the motion by Ms. Cudney-Black. The motion was approved unanimously.

Item #2 Approval of September 11, 2013 Meeting Minutes (Chair)

A motion to approve the September 11, 2013 meeting minutes was made by Member Deichmann, seconded by Member Cudney-Black, and was approved unanimously.

ACTION ITEMS

Item #3 Request for a hearing in the Matter of the Petition to Amend 20.11.63 NMAC, New Source Performance Standards for Stationary Sources, and 20.11.64 NMAC, Emissions Standards for Hazardous Air Pollutants for Stationary Sources, and Request Updated Delegation of Authority from EPA (AQCB Petition No. 2013-7) – Neal Butt, Environmental Health Scientist, AQD

Neal Butt presented the AQCB Petition No. 2013-7 to the Air Board, explaining why the amendments and requests are being made. A motion was made by Member Jens Deichmann to approve the request for a hearing. The motion was seconded by Member Cudney-Black, and then approved unanimously by the Board.

OTHER BUSINESS

Item #4 Presentations:

- **Socioeconomic Trends and Land Use in the Region – Kendra Watkins, Socioeconomic Program Manager, Mid-Region Council of Governments, and**
- **Transportation and Scenario Planning for Climate Change – Aaron Sussman, Transportation Planner, Mid-Region Council of Governments**

Ms. Watkins and Mr. Sussman presented the material they had prepared and entertained questions from the Board. Among the questions and discussion was whether there is anything the Air Board could do to promote a bicycle-sharing program in the City of Albuquerque (by Chair Upson). Members Jens Deichmann and Jane Cudney-Black volunteered to draft a letter to the Mayor and the City Council on behalf of the Air Board, asking that a bicycle-sharing program be developed and funded for the City of Albuquerque. Ms. Watkins and Mr. Sussman added that MRCOG could help to identify the scope and locations for such a program, as they have a member of their staff who works on that.

PUBLIC COMMENT

There was no public comment.

REPORTS Division Report. Staff available for questions.

Member Sullivan asked Deputy City Attorney, Adelia Kearny for a report on status of the appeal of the Air Board’s decision regarding the Smith’s gas station on Carlisle and whether Mr. Carrasco and Mr. Toledo would have an opportunity to make their arguments to the New Mexico Court of Appeals. Ms. Kearny explained the current situation—that we are all waiting to hear from the Court of Appeals, whether a summary decision, similar to what was proposed earlier by the Court of Appeals, will be made, or a different decision. Ms. Kearny stated she does not have a feel for when the Court of Appeals will issue a final decision. She also confirmed that the Appellees had filed Memoranda with the Court of Appeals

stating their arguments (against Smith's and the City's positions). Air Board attorney Bill Grantham agreed with Ms. Kearny's statements.

Member Deichmann asked whether an appeal has been filed regarding the Air Board's more recent decision regarding the Smith's gas station on Tramway. Ms. Kearny responded that she hasn't heard anything, but that the deadline for filing a Notice of Appeal had not yet expired.

ADJOURNMENT

Chair, Dr. Dona Upson, adjourned the meeting at 6:51.

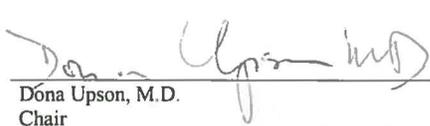
NEXT SCHEDULED BOARD MEETING: November 13, 2013, 5:30 p.m.

SUBMITTED:

READ AND APPROVED:


Ms. Margaret Nieto
Board Secretary/Env. Health Supervisor, Control Strategies Section,
Air Quality Division, Environmental Health Department.

12/11/13 date


Dona Upson, M.D.
Chair
Albuquerque – Bernalillo County Air Quality Control Board

12/11/13 date