



Albuquerque-Bernalillo County Air Quality Control Board



Paul J. Rogers, Interim Director

Air Board Members:

Chair – Ms. Maxine Paul, City
Vice Chair – Ms. Kitty Richards, County
Mr. Dennis Armijo Sr., City
Ms. Judy Calman, County
Dr. Elis Eberlein, City
Dr. Joseph Galewsky, City

Air Board Liaisons:

Ms. Connie Chavez, Bernalillo County Planning Commission Liaison
Mr. Joseph Cruz Jr., City of Albuquerque Environmental Planning Commission Liaison

Air Board Staff:

Ms. Anita SdeArmijo, Air Quality Control Board Liaison

Revised Regular Monthly Public Meeting Agenda

<p>Date: 03/13/2024 (Wednesday) Time: 5:30 p.m. to 8 p.m.</p>	<p>Location: Basement Hearing Room Plaza del Sol Building 600 Second Street NW Albuquerque, NM 87102 and on Zoom (see below)</p>
<p>General inquiries regarding this agenda may be directed to Anita SdeArmijo at (505) 768-1915 or airboard@cabq.gov. For documents related to agenda items, please go to: https://www.cabq.gov/airquality/air-quality-control-board/events/march-13-2024</p>	

The 03/13/2024 Air Quality Control Board meeting will be conducted in a hybrid format allowing the public to participate either in person at the location shown above or remotely via Zoom. Members of the public who wish to participate remotely may join the meeting online by clicking on the link below, or by phone by calling 346-248-7799 and following the prompts. Any disruptive conduct may result in removal from the Zoom meeting.

Zoom link: <https://cabq.zoom.us/j/87364247956>

Meeting ID: 873 6424 7956

The video recording of this meeting of the Air Quality Control Board will be available after the meeting online at <https://www.cabq.gov/airquality/air-quality-control-board/past-air-quality-control-board-meetings> Staff are available to help members of the public access meeting recordings during business hours. Please call (505) 768-1915 for assistance.

Public Comment: The Air Quality Control Board will take general public comments and comments on specific agenda items during the meeting as provided in the Agenda below. If you are attending the meeting in person, sign up to speak by checking “Yes” next to Public Comment and indicating whether you will be providing general comment or commenting on a specific agenda item on the meeting sign-in sheet provided by the Air Quality Control Board Liaison. If you are attending the meeting online, sign up to speak using the chat function in Zoom, or raise your hand when the Board Chair asks if anyone would like to give comment. If you are calling in to the meeting, press *9 to raise your hand when the Board Chair asks if anyone would like to give comment. Commenters will be called on in the order that they signed up to speak or raised their hand. Public comment will be limited to 5 minutes or less per person, depending on the number of commenters. Your time will start when you start speaking and the Board Chair will let you know when your time has concluded. Additionally, you can email comments to airboard@cabq.gov up until 2 hours before the meeting.

The Board will only take comments during the first and second public comment opportunities. Comments on specific agenda items must be germane to the item and should be provided during the first public comment opportunity if you would like the Board to consider your comment when the item is heard. If you sign up to give comment on a specific agenda item, please state the item you are giving comment on.

1. CALL TO ORDER

2. CONSENT AGENDA (Items may be removed at the request of any Board Member)

- A. Approval of the March 13, 2024 Meeting Agenda
- B. Approval of the February 14, 2024 Meeting Minutes

3. AIR PROGRAM UPDATES

Presentation- Fugitive Dust Mitigation Plan and Public Comment Period

4. FIRST PUBLIC COMMENT OPPORTUNITY

Comments will be limited to 5 minutes per person, depending on the number of commenters. See the statement regarding public comment at the top of the agenda for instructions on how to sign up to give comment.

5. DISCUSSION & ACTION ITEMS

- A. Nominations of candidates for the offices of Chair and Vice Chair for 2024-2025 (Board).
- B. Meeting location discussion and possible action on amending the AQCB Bylaws to change meeting location (Board).
- C. Discussion and possible action on Motion for Stay, filed by New Mexico Automotive Dealers Association, In the Matter of the Petition to Repeal Existing Rule 20.11.104 NMAC, Emission Standards for New Motor Vehicles and Adopt Proposed Replacement 20.11.104 NMAC, New Motor Vehicle Emission Standards, AQCB PETITION NO. 2023-01 (Board, Parties).
- D. Discussion and possible action on Motion for Stay, filed by Automundo de Garcia, In the Matter of the Petition to Repeal Existing Rule 20.11.104 NMAC, Emission Standards for New Motor Vehicles and Adopt Proposed Replacement 20.11.104 NMAC, New Motor Vehicle Emission Standards, AQCB PETITION NO. 2023-01 (Board, Parties).
- E. Discussion and Possible Action on Draft Order resolving the request to correct the regulation. (Motion for Correction of Adopted Rules, In the Matter of the Petition to Amend Title 20, Chapter 11, Part 72 of the New Mexico Administrative Code to Require Review and Consideration of Health, Environment, and Equity Impacts (Board).
- F. **CLOSED MEETING:** The Board will go into closed meeting with the Board Attorney to discuss and take possible action concerning litigation: Albuquerque-Bernalillo County Air Quality Control Board, Board of County Commissioners of Bernalillo County vs. City of Albuquerque, 202-CV-2-23-09295 and GCC Rio Grande et al vs Albuquerque Bernalillo County Air Quality Control Board, City of Albuquerque. D-202-CV-2023-09435, and appeals of Clean Cars II regulations and HEEI regulation (Board).
 - After the closed meeting, the board will announce the scope of discussion in the closed session and taking of any motions and votes based on closed session discussion (Board).

6. SECOND PUBLIC COMMENT OPPORTUNITY

Comments will be limited to 5 minutes per person, depending on the number of commenters. See the statement regarding public comment at the top of the agenda for instructions on how to sign up to give comment.

7. OTHER BUSINESS

- A. Reports from Committees (Board)
- B. Possible Future Agenda Items (Board)

8. ADJOURNMENT

Next Scheduled Regular Board Meeting: **April 10, 2024**

NOTICE TO PERSONS WITH DISABILITIES OR SPECIAL NEEDS: The Air Quality Control Board will take reasonable measures to provide access to services to individuals with limited ability to speak, write, or understand English or to those with disabilities at no cost to the requestor. If you would like this agenda translated into a different language, please go to <https://www.cabq.gov/airquality/air-quality-control-board/events/march-13-2024> and use the Translate Our Site feature at the top of the page, or contact the Air Quality Control Board Liaison for assistance at (505) 768-1915, airboard@cabq.gov, or City of Albuquerque, Environmental Health Department, Air Quality Program, One Civic Plaza NW, 3rd Floor, Room 3023, Albuquerque, NM 87102.

If you have a disability or require special assistance to participate in this meeting, including interpretation, please contact the Air Quality Control Board Liaison as soon as possible but no later than seventy-two (72) hours before the meeting. Those in need of hearing assistance may call 711.

The Air Quality Control Board does not discriminate on the basis of race, color, national origin, religion, ancestry, disability, age, sex, spousal affiliation, gender identity or sexual orientation in the administration of programs or activities, in accordance with federal, state and local laws and regulations. If you would like to file a complaint or if you have any questions about this notice, you may visit <https://www.cabq.gov/airquality/non-employee-discrimination-complaints> or contact:

Amanda Trujillo, Executive Assistant
General Services Division
(505) 768-2534
civilrights@cabq.gov and amandatrujillo@cabq.gov

AVISO PARA PERSONAS CON DISCAPACIDADES O NECESIDADES ESPECIALES: La Junta de Control de Calidad del Aire tomará medidas razonables para brindar acceso a los servicios a personas con capacidad limitada para hablar, escribir o entender inglés, o a personas con discapacidades, sin costo para el solicitante. Si quiere recibir este programa traducido a un idioma diferente, acceda a <https://www.cabq.gov/airquality/air-quality-control-board/events/march-13-2024> use la función Translate Our Site (Traducir nuestro sitio), que está en la parte superior de la página, o comuníquese con la persona de enlace de la Junta de Control de Calidad del Aire para recibir ayuda llamando al (505) 768-1915, escribiendo a airboard@cabq.gov o enviando correspondencia a City of Albuquerque, Environmental Health Department, Air Quality Program, One Civic Plaza NW, 3rd Floor, Room 3023, Albuquerque, NM 87102.

Si tiene una discapacidad o necesita ayuda especial para participar en esta reunión, incluidos servicios de interpretación, comuníquese con la persona de enlace de la Junta lo antes posible, a más tardar setenta y dos (72) horas antes de la reunión. Quienes necesiten ayuda por motivos de audición pueden llamar al 711.

La Junta de Control de Calidad del Aire no discrimina según raza, color, nacionalidad de origen, religión, ancestros, discapacidad, edad, sexo, afiliación conyugal, identidad de género u orientación sexual para la administración de programas o actividades, según las leyes y regulaciones federales, estatales y locales. Si quiere presentar una queja o tiene dudas sobre este aviso, puede visitar <https://www.cabq.gov/airquality/non-employee-discrimination-complaints> o contactar a:

Amanda Trujillo, Executive Assistant
General Services Division
(505) 768-2534
civilrights@cabq.gov and amandatrujillo@cabq.gov