

**MINUTES – April 10, 2024**  
**Regular Hybrid Meeting**

This Albuquerque-Bernalillo County Air Quality Control Board (“Board”) meeting was conducted in a hybrid format with both in-person and remote participation via Zoom video conference.

**1. CALL TO ORDER**

Chair Paul called the meeting to order at 5:35 pm.

Board Liaison Anita SdeArmijo then called roll and the Chair determined a quorum was present.

Present: 5 – Dennis Armijo, Judy Calman, Joseph Galewsky, Maxine Paul, Kitty Richards

Absent: 1-Elis Eberlein

Vice Chair Richards attended virtually.

**2. CONSENT AGENDA**

**A.** Approval of the April 10, 2024 Meeting Agenda

**B.** Approval of the February 14, 2024 and March 13, 2024 Meeting Minutes

Vice Chair Richards requested that the approval of the February 14 and March 13 minutes be removed from the consent agenda and put on the agenda. Member Armijo moved to approve the agenda with the removal of the 2/14/24 minutes. Member Galewsky seconded and the motion passed by the following vote.

For: 5 – Armijo, Calman, Galewsky, Richards, Paul

Against: 0      Abstain: 0      Absent: 1-Eberlein

Vice Chair Richards requested more clarification on February minutes and a change to the March minutes. The approval of these minutes was moved to the May meeting.

**3. AIR PROGRAM REPORT**

**A.** Update on SO<sub>2</sub> Milestone Report

Regulation Development Coordinator Allen Smith gave a brief update on the SO<sub>2</sub> Milestone Report. The report has been through the comment period and no comments

were received. The Western Regional Air Partnership (WRAP) has compiled the final report and it will be on the May agenda for the board to approve.

**B. Update on Fugitive Dust Mitigation Plan**

Mr. Smith also gave the update that the Fugitive Dust Mitigation Plan is currently going through public comment until April 20, after which any comment will be processed and the final mitigation plan will be submitted to the EPA. Mr. Smith then stood for questions from the board.

Maria Gallegos, Public Health Manager, gave a quick update on the work EHD is doing in support of the HEEI rule. This is being done by researching current EJ screen tools, data acquisition, analysis, GIS mapping, and preparing to work with the community. Ms. Gallegos then stood for questions from the board.

**4. FIRST PUBLIC COMMENT OPPORTUNITY**

Javier of the Los Jardines Institute and Marla Painter provided general comments.

**5. REPORTS/DISCUSSION/ACTION ITEMS**

**A. Election of Chair and Vice Chair for 2024-2025 (Board).**

During last month's meeting, Member Galewsky was nominated for Chair and Member Calman was nominated for Vice Chair. Chair Paul opened the floor for any other nominations; hearing none she called for a roll call vote for the selection of Member Calman as the new Vice Chair. The vote passed unanimously.

For: 5 – Armijo, Calman, Galewsky, Paul, Richards  
Against: 0      Abstain: 0      Absent: 1-Eberlein

Chair Paul then called for a roll call vote for the selection of Member Galewsky as the new Chair. The vote passed unanimously.

For: 5 – Armijo, Calman, Eberlein, Galewsky, Paul, Richards  
Against: 0      Abstain: 0      Absent: 1-Eberlein

Per the AQCB bylaws Members Galewsky and Calman took over their new positions immediately. Chair Galewsky then thanked Member Paul for her service as chair and presented her with a gift on behalf of the board.

**B. CLOSED MEETING:** The Board will consider whether or not to go into closed session 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 the HEEI regulation (Board).

- The board will discuss and vote whether or not to go into closed session, following procedures outlined in Section 10-15-1 (I) of the OMA. Exceptions to open meetings are outlined in Section 10-15-1 (H).

After a brief discussion, Member Armijo moved to go into closed session. Member Paul seconded. The motion passed by the following vote:

For: 5 – Armijo, Calman, Eberlein, Galewsky, Paul, Richards  
Against: 0 Abstain: 0 Absent: 1-Eberlein

The board was in closed session from 6:13-6:57 pm.

- If there is a closed session, the Board will announce what was discussed and will take any motions and votes based on the closed session discussion.

The board discussed pending litigation- the Advance Clean Vehicles appeal and the HEEI regulation appeal.

Member Armijo moved to continue with the chair and vice chair being the contact liaison with the board attorney regarding litigation matters. Member Paul seconded. The motion passed by the following vote.

For: 5 – Armijo, Calman, Eberlein, Galewsky, Paul, Richards  
Against: 0 Abstain: 0 Absent: 1-Eberlein

## **6. SECOND PUBLIC COMMENT OPPORTUNITY**

No comments

## **7. OTHER BUSINESS**

**A.** Reports from Committees (Board) - No Reports

**B.** Possible Future Agenda Items (Board)

- SO2 report - Member Paul
- HEEI app-Member Paul
- Fugitive Dust Mitigation Plan -Member Richards

## **8. ADJOURNMENT**

Chair Galewsky adjourned the meeting at 7:02 p.m.

**NEXT SCHEDULED BOARD MEETING:** May 8, 2024 at 5:30 p.m.

SUBMITTED:

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Paul J. Rogers  
Interim Director  
Environmental Health Department

READ AND APPROVED:

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Mr. Joseph Galewsky, Chair  
Albuquerque-Bernalillo County Air Quality  
Control Board