

MINUTES – February 11, 2026

This Albuquerque-Bernalillo County Air Quality Control Board (“Board”) meeting was conducted in a hybrid format.

I. CALL TO ORDER

Chair Armijo called the meeting to order at 5:31 p.m.

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

Present: 6 – Dennis Armijo, Jane Cudney-Black, Thomas De Pree, Josephine Lopez, Nancy Montaña, Kitty Richards

Absent: 1 - Joseph Galewsky

Member Cudney-Black, Member Montaña and Vice Chair Richards attended virtually.

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

A. Approval of the February 11, 2026 Meeting Agenda

Member Cudney-Black moved to switch item VI. Closed Session with item VII. Public Comment. Member De Pree seconded. The motion passed by the following vote:

For: 6 – Armijo, Cudney-Black, De Pree, Lopez, Montaña, Richards

Against: 0 Abstain: 0 Absent: 1 - Galewsky

Vice Chair Richards moved to approve the consent agenda with the requested change. Member Cudney-Black seconded. The motion passed by the following vote:

For: 6 – Armijo, Cudney-Black, De Pree, Lopez, Montaña, Richards

Against: 0 Abstain: 0 Absent: 1 - Galewsky

B. Approval of the January 14, 2026 Minutes

Member Lopez moved to approve the January 14, 2026 minutes. Member Cudney-Black seconded. The motion passed by the following vote:

For: 6 – Armijo, Cudney-Black, De Pree, Lopez, Montaña, Richards

Against: 0 Abstain: 0 Absent: 1 - Galewsky

III. PUBLIC COMMENT

Xavier Barraza, Marla Painter, Sofia Martinez, and Nora Garcia gave comment in person. Maslyn Locke opted to give her comments on items IV.C and IV.D during the public comment opportunity. Ms. Locke and Lauro Silva gave their comments via zoom.

IV. AGENDA ITEMS

Deputy Director Terrance Smith gave updates on a couple of topics brought up at the previous meeting.

A. Environmental Health Department (EHD) Air Quality Program (AQP):

- Air Quality Alerts presentation - Jeremy Dyer
- Enforcement and Compliance Division presentation – Verma Villegas

Mr. Dyer and Ms. Villegas answered questions after giving presentations.

B. Disaster Research Response (DR2) presentation – National Institute of Environmental Health Sciences (NIEHS)

Drs. Roberta Lavin and Mary Pat Cuig answered questions after giving a presentation.

After the presentations, the Board took a ten-minute break from 7:58-8:08 p.m.

C. Board authority subcommittee – report

Members De Pree and Lopez gave a summary of the literary research they conducted and their recommendations for next steps.

D. Public comment sign up – discussion

After discussion the board decided that sign up will be available until public comment is announced at the meeting.

V. FUTURE AGENDA ITEMS

- Presentation from Air Quality Division: 2024 SO₂ Milestone Report
- Request for presentation on National Ambient Air Quality Standards (NAAQS) and Hazardous Air Pollutants (HAPS)
- Recommendations from board authority subcommittee discussion-April
- Presentation on Ozone- April
- Albuquerque Metals Fugitive Dust permit
- Request for comparison of rules passed by EIB vs AQCB
- Request for San Jose monitoring trailer data
- Nominations for Chair and Vice Chair 2026-2027

VI. PUBLIC COMMENT

No one signed up for public comment.

VII. CLOSED SESSION

The Board will consider whether or not to go into closed session with the Board Attorney to discuss pending litigation:

NMADA v. NM EIB and Air Board (No. A-1-CA-41585); NTESS v. Air Board (A-1-CA-41666); Air Board v. COA (D-202-CV-2023-09295), NTESS (A-1-CA-42019); GCC/NTESS v. Air Board (D-202-CV-2023-09435); NTESS (S-1-SC-40938); NTESS v. Air Board (A-1-CA-42805); Asphalt Assoc. v. EHD (D-202-CV-2025-06781); and Asphalt Assoc. v. EHD and Air Board (A-1-CA-42804).

- The board will make a motion, with reasonable specificity, and vote whether or not to go into closed session following procedures in Section 10-15-1 (I) of the OMA.

After a brief discussion, Member Lopez moved to go into closed session. Vice Chair Richards seconded and the motion passed by the following vote:

For: 6 – Armijo, Cudney-Black, De Pree, Lopez, Montañaño, Richards

Against: 0 Abstain: 0 Absent: 1 - Galewsky

- If there is a closed session, the Board will announce what was discussed and will make any motions based on the closed session discussion. *Topics discussed during a closed session are limited to those expressly excepted from the open meeting requirements in Section 10-15-1 (H).*

The board was in closed session from 9:13 - 9:42 p.m. After coming out of closed session Chair Armijo announced that the board discussed the pending litigation. During the closed session a motion was made by Member Lopez to allow or instruct the board attorney to file an intervention in case Asphalt Assn. v. EHD (D-202-CV-2025-06781. Chair Armijo seconded and the motion was passed by the following vote:

For: 5 – Armijo, De Pree, Lopez, Montaña, Richards

Against: 0 Abstain: 1 - Cudney-Black Absent: 1 - Galewsky

VIII. ADJOURNMENT

Chair Armijo adjourned the meeting at 9:45 p.m.

NEXT SCHEDULED BOARD MEETING: March 11, 2026 at 5:30 p.m.

SUBMITTED:

READ AND APPROVED:

Paul J. Rogers, Director
Environmental Health Department

Dennis Armijo, Sr., Chair
Albuquerque-Bernalillo County Air Quality Control Board