



ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



MINUTES – September 10, 2008

Regular Meeting

**Vincent E. Griego Chambers, Albuquerque-Bernalillo County Government Center
400 Marquette NW, Albuquerque, NM 87102**

AQCB MEMBERS PRESENT

Mr. Jens Deichmann, Vice Chair, (County)
Mr. Augustine Grace III, (City)
Mr. Mike Minturn, Chair (City)
Dr. Debby Potter, (County)

AQCB MEMBERS ABSENT

Dr. Matthew Campen (City)
Mr. Louis Pacias, BCPC Liaison (non-voting)
Mr. Art Sharpe (City)
Dr. Gwen Sun (County)

STAFF PRESENT

Mr. Chris Albrecht, Env. Health Manager, AQD
Ms. Janice Amend, AQCB Liaison, AQD
Mr. Neal Butt, Env. Health Scientist, AQD
Mr. Glen Dennis, Mgr. Vehicle Pollution Mgt. Div. (VPMD)
Mr. Bill Grantham, Board Attorney

Ms. Adelia Kearny, Deputy City Attorney
Mr. Fabian Macias, Env. Health Mgr. AQD
Ms. Margaret Nieto, Control Strategies Supervisor, AQD

VISITORS PRESENT

Mr. Comen, UNM Student
Ms. Lorelee Dimkoff, UNM Student
Ms. Emily Finsterwald, UNM Student
Mr. Jarrett Garcia, UNM Student
Ms. Patty Grice, Mountain View NA
Ms. Jennifer Keese, UNM Student
Ms. Angelina Lopez, UNM Student
Ms. Colleen Martinez, UNM Student
Dr. Margaret Menache, UNM Research
Ms. Marla Painter, Mountain View NA
Mr. Bryan Patlerson, UNM Student
Ms. Kitty Richards, Bernalillo County
Mr. Tom Scharmen, NM Dept. of Health
Mr. Brandon Stam, UNM Student

Minutes

CALL TO ORDER

The meeting was called to order at 5:38 p.m. on September 10, 2008 with four Board members present. Board Chairman Mike Minturn presided.

Item # 1 Approval of the Agenda.

Vice Chairman Deichmann made the motion to approve the agenda, which was seconded by Member Grace, and the motion was carried by a vote of 4-0.

Item #2 Approval of the August 13, 2008 Meeting Minutes.

Member Potter asked that the minutes be amended under Item #5, second paragraph, to include Chairman Deichmann as one of the board members not present at the November 17, 2007 Regional Haze hearing.

A motion was made to approve the minutes as amended by Member Potter, seconded by Member Grace and the Motion was carried by a vote of 3-0-1 (For: Minturn, Potter, Grace - Abstain: Deichmann).

ACTION ITEMS

Item #3 Petition to Amend 20.11.3 NMAC, *Transportation Conformity*, and Incorporate an Amended 20.11.3 NMAC into the New Mexico State Implementation Plan (SIP) for Air Quality.

Mr. Bill Grantham, Board Attorney explained the new petition process when adopting regulations according to 20.11.82 NMAC, *Rulemaking Procedures-Air Quality Control Board*.

Mr. Neal Butt, AQD Environmental Health Scientist, presented the First Amended Petition regarding 20.11.3 NMAC, *Transportation Conformity*.

A Motion was made by Vice Chairman Deichmann to approve the First Amended Petition. The motion was seconded by Member Potter and was carried by a vote of 4-0.

Item #4 Adoption of Bylaws for Air Quality Control Board.

Member Potter made a motion to amend the Bylaws under **ARTICLE V-OFFICERS**, paragraph **a) 2)** to insert the following: "Nominations shall be solicited at the monthly meeting prior to the election, and nominations may also be taken from the floor.", and renumber subsequent sections. The motion was seconded by Member Grace, and was carried by a vote of 3-1-0 (For: Minturn, Potter, Grace - Against: Deichmann).

Member Potter made a second motion to amend the Bylaws under **ARTICLE VI-MEETINGS**, paragraph **i)** to add "The Board Secretary shall notify any board member whose absences have exceeded the allowable amount." The motion was seconded by Vice Chairman Deichmann and was carried by a vote of 4-0.

A motion was made by Member Grace to adopt the amended Bylaws for the Air Quality Control Board, seconded by Vice Chairman Deichmann. The motion was carried by a vote of 4-0.

REPORTS Division reports provided in writing.

Item #5 Review and Discussion of Environmental Justice (EJ) synthesized proposal document.

Board members discussed the merits and concerns of the proposal document. Members Grace, Deichmann and Potter all agreed that under section III. B) rather than referring to "Representative Miera and Senator Feldman" by name, a more generic term should be used, such as State Legislators. Board Chairman Minturn noted receipt of the document and referred it to Division staff for comments in terms of how long it would take to implement the proposals, what it would cost, and what elements would be easier to complete and which would be more difficult. He asked staff to respond in an expeditious manner, and if they can not complete a response by the October 8, 2008 meeting, to let the Board know. He also asked that AQD staff attach a tandem resolution to their comments, for Board consideration and action at the October meeting. Chairman Minturn thanked Dr. Campen in his absence for consolidating the four original proposals into one document for consideration.

