



ALBUQUERQUE – BERNALILLO COUNTY AIR QUALITY CONTROL BOARD

Vincent E. Griego Chambers
Albuquerque-Bernalillo County Government Center
One Civic Plaza NW, Albuquerque, NM 87102



DRAFT MINUTES – May 8, 2019 Regular Meeting

AQCB MEMBERS PRESENT

Ms. Sandy Buffett (CITY), Chair
Ms. Kitty Richards (COUNTY), Vice-Chair
Mr. Matthew Wylie (CITY)
Mr. Arturo Sandoval (CITY)
Ms. Lauren Meiklejohn (CITY)

AQCB MEMBERS ABSENT

Mr. Zackary Quintero (COUNTY)

STAFF PRESENT

Ms. Sandra Begay, EHD Director
Ms. Jolene Slowen, EHD Deputy Director
Ms. Susan Chappell, AQCB Attorney

Ms. Stephanie Apodaca, AQCB Liaison
Ms. Angela Lopez, Senior EH Scientist
Mr. Ed Merta, Reg. Dev. Coordinator
Mr. Travis Miller, EH Supervisor
Ms. Carina Munoz-Dyer, EH Scientist
Mr. Damon Reyes, EH Manager
Mr. Dwayne Salisbury
Ms. Lisa Serna-Cordova, Program Analyst
Mr. Jeff Stonesifer, Sr. EH Scientist
Mr. Isreal Tavarez, EH Manager

VISITORS PRESENT

Ms. Esther Abeya, San Jose resident
Mr. Steven Abeya, Sand Jose resident

CALL TO ORDER

Chairman Buffett called the meeting to order at 5:31 PM.

Chairman Buffett recognized former Member Bret Blanchard, former Bernalillo County Planning Commission liaison to the Board, for his service.

Item #1 Approval of Agenda (Chair)

Member Sandoval moved to approve the agenda and Member Wylie seconded. The motion passed by a vote of 5-0.

Item #2 Approval of March 13, 2018 Meeting Minutes (Chair)

Member Sandoval moved to approve the March 13, 2018 meeting minutes and Member Wylie seconded. The motion passed by a vote of 5-0.

Item #3 Approval of March 27, 2018 Special Meeting Minutes (Chair)

Member Sandoval moved to approve the March 27, 2018 special meeting minutes and Member Wylie seconded. The motion passed by a vote of 5-0.

Item #4 Statement of Recusal by Chair for all matters, including Items #6 and #7 below, related to Southwest Organizing Project's Complaint to U.S Environmental Protection Agency under Title VI of Civil Rights Act of 1964, EPA Case NO. 13R-14-R6; restatement of her non-participation in the discussion and vote related to this matter at the March 27, 2019 special meeting (Chair)

Chair Buffett stated for the record that she recused herself from all matters that include item #6 and #7 related to Southwest Organizing Project's Complaint to U.S Environmental Protection Agency under Title VI of Civil Rights Act of 1964, EPA Case NO. 13R-14-R6.

Item #5 Statement of recusal by Member Richards for all matters related to the above referenced Title VI matter, including Items #6 and #7 below; Restatement of her absence from and non-participation in the March 27, 2019 special meeting (Vice-Chair Richards)

Vice-Chair Richard's stated for the record that she recused herself from all matters that include item #6 and #7 related to Southwest Organizing Project's Complaint to U.S Environmental Protection Agency under Title VI of Civil Rights Act of 1964, EPA Case NO. 13R-14-R6. Vice-Chair was not present for the March 27, 2019 special meeting.

PUBLIC COMMENT

(Five minute time limit)

Ms. Ester Abeyta, gave general comment on a (PIH) hearing that was held at the Mountain View community center regarding NM Terminal Service. Stated that under the notices and publication between Environmental Health and the Albuquerque Journal, the date of hearing was incorrect. Asked for a new hearing.

Ms. Steven Abeyta, gave general comment on a (PIH) hearing that was held at the Mountain View community center regarding NM Terminal Service.

Member Sandoval would like the board to look into environmental justice.

Director Sandra Begay stated for the record that she didn't recall the hearing officer stating anything about environmental justice issues not being a part of the meeting, but remembers he stated very clearly that the meeting was only going to be focused on the permit and not zoning.

Member Richards had a question on the consideration on health impacts and environmental justice. Also asked what that difference is between a (PIH) public information hearing .vs. a public information meeting .vs. a hearing.

AQCB Attorney Carl Parker, explained the difference between all meeting the processes and regulations.

AIR PROGRAM REPORT

The Environmental Health Department Deputy Director for Air Quality, Ms. Jolene Slown, delivered the Air Quality Report and answered questions from Board members Environmental Health.

Responding to the Board's request at the February 13, 2019 meeting for information from EPA on federal regulation of railcar emissions. Ms. Slown reported that the department reached out to EPA region VI, was informed that the emissions from the sources were captured and accounted for through ambient air monitoring stations, though the national emissions inventory and though the toxic risks inventory data. The 2014 data was released in 2018.

Member Sandoval asked the department if possible to collect the data just for their area from the national data.

Deputy Director Jolene Slown, stated that there is access to the NATA data. Would be happy to bring it before the board to show where the data is collected. Offered a brief fifteen minute presentation to be on the next agenda.

Director Sandra Begay offered a tour of the air monitoring station in the south valley to the Air Quality Control Board members.

REPORTS

Nothing to report

ACTION ITEMS

Item #6 Election of Chair pro-temp due to Chair and Vice-Chair's recusals; Discussion regarding March 27, 2019 Special Meeting decision on whether to agree to mediation of Southwest Organizing Project's Complaint to U.S Environmental Protection Agency under Title VI of Civil Rights Act of 1964, EPD Case No. 13R-14-R6; and possible action to confirm or ratify that decision. (Ex officio member Begay, Chair pro-temp)

Chair Buffett stated that due to the lack of a quorum this item will have to be deferred to a future meeting

Item #7 Selection of subcommittee for mediation- Southwest Organizing Project's Complaint to U.S Environmental Protection Agency under Title VI of Civil Rights Act of 1964, EPA Case No. 13R-14-R6 (Chair pro-temp)

Chair Buffett stated that due to the lack of a quorum this item will have to be deferred to a future meeting

Item #8 Update on search for new Board attorney and possible approval of subcommittee recommendation for the position. (Chair)

Vice-Chair Richard stated that the subcommittee has selected Ms. Susan Chappell as the new Board attorney.

Member Wylie moved to approve, Ms. Chappell as the new Board Attorney.
Chair Buffett amends the motion, to adopt the recommendation and to direct the City attorney to proceed with the contract.
Ms. Richards seconded. The motion passed 5-0

OTHER BUSINESS

There was no other business.

ADJOURNMENT

Chair Buffett adjourned the meeting at 6:05 p.m.

NEXT SCHEDULED BOARD MEETING: June 12, 2019 in the Vincent E. Griego Chambers, Albuquerque-Bernalillo County Government Center One Civic Plaza NW Albuquerque, NM 87102

SUBMITTED:

READ AND APPROVED:

Mr. Dario Rocha date
Board Secretary/Env. Health Manager, Control Strategies Division,
Air Quality Program, Environmental Health Department.

Ms. Sandy Buffett date
Chair
Albuquerque – Bernalillo County Air Quality Control Board