

Mountain View Coalition

Mountain View Neighborhood Association • Mountain View Community Action •
Friends of Valle de Oro National Wildlife Refuge



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Media Contacts:

- Lauro Silva, President, Mountain View Neighborhood Association, alcoat1944@gmail.com, (505) 720-4539
- Marla Painter, President, Mountain View Community Action, marladesk@gmail.com, (505) 220-3969
- Katie Dix, Executive Director, Friends of Valle de Oro National Wildlife Refuge, katie@friendsofvalledeoro.org, (505) 401-0455
- Eric Jantz, Legal Director, NMELC, ejantz@nmelc.org, (505) 980-5239
- Maslyn Locke, Senior Staff Attorney, NMELC, mlocke@nmelc.org, (505) 231-7130

ABQ CITY COUNCIL PASSES BILL TO ABOLISH CURRENT AIR QUALITY CONTROL BOARD

Mayor Has 10 Days to Veto Controversial Ordinance

ALBUQUERQUE, NM—Last night, after hours of debate and dozens of comments from community members, the Albuquerque City Council voted 5-4 to approve abolishing the current Joint Albuquerque-Bernalillo County Air Quality Control Board.

Councilors Dan Lewis, Brook Bassan, Louie Sanchez, Renee Grout and Trudy Jones voted for Lewis' two bills to abolish the current board and to establish a moratorium on taking any action to address quality of life issues. Councilors Tammy Fiebellkorn, Pat Davis, Ike Benton and Klarissa Peña voted against both bills.

Mayor Tim Keller has ten days to veto the bills. Then City Council would need 6 votes to override the veto.

Maslyn Locke, Senior Staff Attorney at New Mexico Environmental Law Center (NMELC), which represents the Mountain View Coalition, said, "It's disappointing how much misinformation was relied on to inform last night's vote. We have decades of research that not only shows that poor public health is detrimental to economic growth and development, but also shows that air quality regulation has overwhelmingly positive economic effects. This is all something that would be proven by the Mountain View Coalition at the Dec 4th hearing before the Joint Albuquerque-Bernalillo County Air Quality Control Board, but the City Council decision last night may take away their opportunity, and their right, to do that. I also just want to make clear that the Air Board is already subject to the Open Meetings Act and the Inspection of Public Records Act (IPRA), so the idea that the Lewis legislation is providing additional transparency or doing anything other than halt a legal rulemaking process is simply ludicrous."

Eric Jantz, Legal Director for NMELC, said, “If Councilor Lewis had read his own bill he would know this isn’t really about transparency—it’s about picking and choosing who is on the Air Board.”

More than 100 people signed up for public comment on these bills; approximately 50 community members spoke against the bills, and only 20, mostly representing companies which would be regulated by the proposed [Health, Environment & Equity Impacts \(HEEI\) regulation](#), spoke in favor.

Marla Painter, President, Mountain View Community Action, said, “I am appalled by the disinformation expressed at last night’s City Council meeting in their consideration of Dan Lewis’ bill to abolish and restructure the Bernco/ABQ Air Quality Board. Councilor Lewis publicly admitted the bill is designed to guarantee there will be no consideration of the proposed, community-driven Health, Environment, & Equity Impacts (HEEI) regulation before the regulation is heard before the public and the Air Quality Control Board, which is authorized to adopt or reject the proposed rule. Last night’s mistruths about the HEEI reg and the legal procedures followed in petitioning the regulation were rampant. The city’s staff were misinformed and ill-equipped to answer the Council’s questions about the regulation, and those of us in the audience who could have answered accurately were not allowed to speak to the questions. It was a sad show of political bias toward low-income people’s attempt to remedy a very bad situation of environmental injustice.”

Lauro Silva, President of the Mountain View Neighborhood Association, said, “The current Air Board comprises members who are very well qualified scientific, academic and objective decision makers who fairly and responsibly represent all City and County interests. The Lewis bill completely liquidated the AQCB unilaterally and replaced it with a handpicked select group of conservative polluting industry supporters without regard for “protecting the health and welfare” of Bernalillo County residents, as required by state law. It is essentially a “wrecking ball” that serves to deny an equitable and just decision to control toxic, hazardous and health impacting air contaminants from residents of the entire County. These impacts affect the quality of life that our children, elders and our future generations deserve, for example - the currently disparate life spans in our communities. The Mountain View Community, the South Valley, and the Pueblo of Isleta are directly affected by these regressive and anti-democratic policies advocated by this Dan Lewis bill. His bills are extremely prejudicial and discriminatory.”

Alan Marks, Board member of Mountain View Community Action, said, “I have lived 44 years in the Mountain View community where my property was farmed since the 1880’s. Our APS elementary school sits just across the railroad tracks from a major industrial area. Our overburdened community has asphalt plants, metal recycling, the majority of the county’s brownfields, the vast majority of the metro area’s smokestack industries, huge petroleum storage tanks that spill over from time to time, multiple other hazardous waste sites, including at least 25 auto junk yards, two concrete companies, a solid waste landfill, the area’s wastewater treatment plant, a fertilizer factory, and a rail spur that’s been known to store tank cars full of deadly chlorine. This lack of equity and concern for public health in the air pollution permitting process must stop. Support the Mountain View Coalition’s HEEI regulation.

Emily Arasim, UNM graduate student in Community & Regional Planning, who works in Mountain View, said, the bills’ “suspicious timing makes it abundantly clear that the goal is not to improve the air board, but rather to block democratic processes and upcoming air hearings

happening in the next month such as HEEI. This move is a blatant obstruction of Justice, and is clearly self-serving to Dan Lewis' personal aims, and dismissive of the public welfare and public health—which can be upheld by continued action to support and strengthen the current air board. This is an unethical power grab intended to cripple the progress we are making as a city and county to address air pollution and its life or death impacts on our people's health. Remember there is NO economic development without healthy people. Healthy people must come first, and the air board should not be impeded from this work.”

The Mountain View Coalition is encouraging their supporters to contact the four councilors who voted against Dan Lewis' bills to thank them for standing up for equity and to let the current Air Board do its job. The Coalition also is conferring with attorneys to determine next steps.

It is unclear how the City Council votes will impact the public hearing on the Health, Environment & Equity Impacts regulation scheduled in front of the Air Quality Control Board at the Albuquerque Convention Center on December 4th through Dec. 8th.

The next Albuquerque City Council meeting is scheduled for Monday, November 20th.

Video of the November 8th City Council meeting can be accessed [here](#).



Opponents of both Dan Lewis' bills gathered before the vote on Nov. 8, 2023.

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