



For Immediate Release

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Mountain View Coalition/New Mexico Environmental Law Center Statement on City Councilor Dan Lewis's Legislation to Abolish the Albuquerque/Bernalillo County Air Quality Control Board

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On Monday, October 16, 2023, Albuquerque City Councilor Dan Lewis introduced two pieces of legislation that, if enacted, would fundamentally undermine the health and well-being of residents throughout Albuquerque and Bernalillo County.

Council Bill No. [O-23-88](#) seeks to dissolve the current Albuquerque/Bernalillo County Air Quality Control Board and replace the current members with members hand-picked by polluting industries that the Board is authorized to regulate. The Bill would also significantly restrict the Board's future ability to protect public health, the environment and property by allowing the City Council, none of whose members have expertise in air quality management or public health, to veto Board decisions. Council Bill No. [R-23-176](#) would prohibit the Board from taking any actions to protect Albuquerque and Bernalillo County residents' quality of life, such as odor control, until February 2024.

The Mountain View Coalition (Mountain View Neighborhood Association, Mountain View Community Action, Friends of Valle de Oro) and the New Mexico Environmental Law Center unequivocally condemn this autocratic purge by Councilor Lewis. These bills specifically target the Air Quality Control Board's current rulemaking process to

hold a hearing on the Community-initiated Health, Environment and Equity Impacts rule that addresses the concentration of polluting industries in low-income and working class communities of color. The Board has not yet heard evidence on the proposed rule and has not made any decision. Nevertheless, Councilor Lewis's polluting industry-drafted and backed legislation would rob the Board of any opportunity to even hear the facts and science supporting – and in opposition to – the proposed rule.

Councilor Lewis's bills are an obscene perversion of the role of the City Council. These bills are intended to re-write the New Mexico Air Quality Control Act, passed by the New Mexico Legislature and usurp the prerogatives of the Bernalillo County Commission. They will also marginalize Board members who are air quality and health experts and who see their role as protecting the health of all residents of Albuquerque and Bernalillo County, rather than automatically bowing and scraping before monied and powerful polluting interests. Bernalillo County's recent poor grades for air quality from the American Lung Association (<https://www.lung.org/research/sota/city-rankings/states/new-mexico>), ranging from "D" to "F", earning Albuquerque the shameful designation as one of the top 25 polluted metro areas in the nation, should be a wakeup call to all public officials concerned about the health and prosperity of Bernalillo County residents.

We demand that the City Council listen to community voices and let the Board do its job by voting down Council Bill No. O-23-88 and Council Bill No. R-23-176. We further demand that Mayor Keller and his Environmental Health Department, which is also responsible for protecting residents' health from air pollution, take a strong and public stand against Councilor Lewis's dangerous and undemocratic bills.

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