## CITY of ALBUQUERQUE TWENTY FIFTH COUNCIL

COUNCIL BILL NO. <u>R-23-128</u> ENACTMENT NO. \_\_\_\_\_

**SPONSORED BY:** Dan Lewis

1 RESOLUTION 2 DECLARING A POSITION ON ALBUQUERQUE-BERNALILLO COUNTY AIR 3 **QUALITY CONTROL BOARD PETITION 2022-3.** 4 WHEREAS, the Albuquergue-Bernalillo County Air Quality Control Board 5 (the "AQCB") is establishing a process to consider a citizen-initiated rule making petition for Petition 2022-3; and 6 7 WHEREAS, this type of petition can carry significant consequences for the 8 community, not only in terms of promoting air quality, but also in terms of 9 balancing economic impacts, enforceability of air guality rules, and the general 10 integrity of the air quality permitting processes; and 11 WHEREAS, the petition, as submitted, did not proceed through any pre-12 petition or stakeholder involvement process prior to its submission to, and 13 acceptance by the AQCB; and 14 WHEREAS, a pre-petition process would have provided opportunities for the 15 public to comment through public listening sessions, public meetings, 16 gathering of written comments and the opportunity for corresponding 17 revisions; and 18 WHEREAS, the petition includes unprecedented, mandatory denials of air-19 quality permits under circumstances that do not appear clearly defined and 20 such a process could result in significant harm to the welfare of the City and 21 our region due to its overbreadth; and 22 WHEREAS, the City's air quality program has identified that it's unclear 23 how the proposed rule would fit in with existing air quality permitting rules 24 and process, and includes ambiguities that may render it unenforceable; now

1	BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
2	ALBUQUERQUE:
3	Section 1. The City declares that Petition 2022-3 could be harmful to the
4	welfare of the City due to the lack of stakeholder involvement that went into its
5	submission and acceptance by the AQCB, and due to its potentially broad
6	impacts on the availability of air quality permits based on unclear standards.
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