



Legislation Details (With Text)

**File #:** R-23-128  
**Type:** Resolution  
**File created:** 4/17/2023  
**Status:** Enacted  
**In control:** City Council  
**Final action:** 5/1/2023  
**Enactment date:** 6/5/2023  
**Enactment #:** R-2023-044  
**Title:** Declaring A Position On Albuquerque-Bernalillo County Air Quality Control Board Petition 2022-3 (Lewis)  
**Sponsors:** Dan Lewis  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. R-128, 2. R-128Enacted

Date	Ver.	Action By	Action	Result
6/5/2023	1	City Clerk	Published	
5/18/2023	1	Mayor	Not Signed by the Mayor	
5/9/2023	1	City Council	Sent to Mayor for Signature	
5/1/2023	1	City Council	Passed	Pass
4/17/2023	1	President	To be heard at the Council Meeting	
4/17/2023	1	City Council	Introduced	

**CITY of ALBUQUERQUE**  
**TWENTY FIFTH COUNCIL**

COUNCIL BILL NO. R-23-128 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Dan Lewis

RESOLUTION

Declaring A Position On Albuquerque-Bernalillo County Air Quality Control Board Petition 2022-3 (Lewis)

WHEREAS, the Albuquerque-Bernalillo County Air Quality Control Board (the "AQCB") is establishing a process to consider a citizen-initiated rule making petition for Petition 2022-3; and  
WHEREAS, this type of petition can carry significant consequences for the community, not

only in terms of promoting air quality, but also in terms of balancing economic impacts, enforceability of air quality rules, and the general integrity of the air quality permitting processes; and

WHEREAS, the petition, as submitted, did not proceed through any pre-petition or stakeholder involvement process prior to its submission to, and acceptance by the AQCB; and

WHEREAS, a pre-petition process would have provided opportunities for the public to comment through public listening sessions, public meetings, gathering of written comments and the opportunity for corresponding revisions; and

WHEREAS, the petition includes unprecedented, mandatory denials of air-quality permits under circumstances that do not appear clearly defined and such a process could result in significant harm to the welfare of the City and our region due to its overbreadth; and

WHEREAS, the City's air quality program has identified that it's unclear how the proposed rule would fit in with existing air quality permitting rules and process, and includes ambiguities that may render it unenforceable; now

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. The City declares that Petition 2022-3 could be harmful to the welfare of the City due to the lack of stakeholder involvement that went into its submission and acceptance by the AQCB, and due to its potentially broad impacts on the availability of air quality permits based on unclear standards.

