



STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD
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MEETING MINUTES
MEETING OF THE ENVIRONMENTAL IMPROVEMENT BOARD
February 26, 2021
1:00 P.M.
Virtual Meeting on Webex

Members present: Phoebe Suina, Chair
Barry Bitzer, Member
Karen Garcia, Member
Karl Cates, Member
Dr. Benjamin Duval, Member
Amanda Trujillo-Davis, Secretary

Others present: Pam Jones, Board Administrator
Madai Corral, OPF Staff
Karla Soloria, Board Counsel
William Honker, EIB Appointee
Andrew Knight, Counsel, NMED
Matt Nykiel, Counsel, Climate Energy Program
Jeremy Nichols, Climate Energy Program Director
Daniel Timmons
Kevin Singleton
Neal Butt
Michael Baca
Luciana Vigil-Holterman
Maggie Fitzgerald
Elizabeth Kuehn

The Chair called the Board into order at 1:02 P.M.

Item 1. Roll call.

Action: The Administrator called the roll; a quorum was present. Chair Suina discussed the protocol of the virtual meeting. Chair Suina pointed out that due to the technical complications of a virtual meeting, it would be helpful for the Board to clearly identify their actions relating to making a motion or a second to a motion. Administrator Jones will video record the meeting and will post the recording on the Board's website as soon as practicable after the meeting.

Item 2. Approve the agenda.

Action: Member Garcia moved to approve the agenda. Member Bitzer seconded the motion. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

Item 3. Approval of meeting minutes from January 22, 2021.

Action: Member Bitzer moved to approve the meeting minutes from the meeting on January 22, 2021. Member Duval seconded the motion. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

Action: Chair Suina gave an update on the EIB membership. She announced that former Chair John Volkerding was no longer a member of the Board. Chair Suina introduced William Honker, as a newly appointed Board member, and asked Mr. Honker to make a few introductory remarks.

Item 4. Board deliberation on EIB 21-05: *Petition for Adoption of State Implementation Plan Certification and Request for Hearing.*

Action: Andrew Knight, Counsel for NMED introduced the Petition. Mr. Knight stated the EPA requires a State Implementation Plan for Ozone transport. The purpose is to certify that New Mexico has the infrastructure in place to assure no exceedance of the limits for cross-border transport of ozone. Mr. Knight stated ordinarily no hearing is required for SIP Certification but a request for hearing was received by WildEarth Guardians. The SIP Certification is being submitted for the Board's consideration along with the request to set a hearing for the May EIB meeting. A request for a hearing officer to be appointed from among the board members was also suggested due to the limitations on the time and schedule of the In-House Hearing Officer.

The Board discussed the Petition. Comment related to deadlines was offered by Michael Baca of the Air Quality Bureau, followed by comments from Jeremy Nichols, Climate Energy Program Director from WildEarth Guardians, and Matt Nykiel, Climate Energy Counsel for WildEarth Guardians.

Member Garcia moved to hold the hearing on May 28, 2021 beginning at 9:00a.m. Member Bitzer seconded the Motion. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

Member Duval made the motion to appoint Member Bitzer as Hearing Officer for the hearing on May 28th. Member Cates seconded the motion. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

Item 5. Next meeting March 26, 2021.

Action: There was discussion about the virtual platforms used to hold meetings. It was decided to hold the EIB meetings on the Zoom platform beginning with the March 26, 2021 meeting.

Item 6. Adjournment.

Action: Member Garcia moved to adjourn the meeting. Member Bitzer seconded the motion. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

Karl Cates, Secretary