

September 25, 2007

TO: Members of the MAG Management Committee

FROM: Jan Dolan, Scottsdale, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Wednesday, October 3, 2007 - 12:00 to 1:00 p.m.
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

The next Management Committee meeting will be held at the MAG offices at the time and place noted above. Members of the Management Committee may attend the meeting either in person, by videoconference or by telephone conference call. The agenda and summaries are being transmitted to the members of the Regional Council to foster increased dialogue regarding the agenda items between members of the Management Committee and Regional Council. You are encouraged to review the supporting information enclosed. Lunch will be provided at a nominal cost.

Please park in the garage under the building, bring your ticket, parking will be validated. For those using transit, Valley Metro/RPTA will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Valerie Day at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

Members are reminded of the importance of attendance by yourself or a proxy. Any time that a quorum is not present, we cannot conduct the meeting. Please set aside sufficient time for the meeting, and for all matters to be reviewed and acted upon by the Management Committee. Your presence and vote count.

c: MAG Regional Council

**MAG MANAGEMENT COMMITTEE
TENTATIVE AGENDA
October 3, 2007**

COMMITTEE ACTION REQUESTED

1. Call to Order

2. Pledge of Allegiance

3. Call to the Audience

An opportunity is provided to the public to address the Management Committee on items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Management Committee requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

4. Approval of Consent Agenda

Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items that are being presented for action. Following the comment period, Committee members may request that an item be removed from the consent agenda. Consent items are marked with an asterisk (*).

3. Information.

4. Recommend approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

*4A. Approval of September 12, 2007 Meeting Minutes

4A. Review and approval of the September 12, 2007 meeting minutes.

*4B. MAG Traffic Counts Data Retrieval System Design and Development Consultant Selection

The FY 2008 MAG Unified Planning Work Program and Annual Budget includes \$150,000 to conduct the MAG Traffic Counts Data Retrieval System Design and Development project. The traffic counts data retrieval system will serve as a primary data management tool for regionwide

4B. Recommend that Midwestern Software Solutions be selected to conduct the MAG Traffic Counts Data Retrieval System Design and Development for an amount not to exceed \$150,000.

traffic counts related information. A request for proposals (RFP) was advertised in July 2007. Three proposals were received and reviewed by a multi-agency proposal evaluation team. On September 12, 2007, the evaluation team interviewed the firms and recommended to MAG the selection of Midwestern Software Solutions to conduct the study for an amount not to exceed \$150,000. Please refer to the enclosed material.

*4C. Project Changes: Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program, FY 2008 Arterial Life Cycle Program, and, as Appropriate, to the Regional Transportation Plan 2007 Update

The FY 2008-2012 Transportation Improvement Program (TIP) and the FY 2007 Regional Transportation Plan (RTP) 2007 Update were approved by the Regional Council on July 25, 2007, and the FY 2008 Arterial Life Cycle Program (ALCP) was approved by Regional Council on June 27, 2007. Since that time, member agencies have requested modifications to projects in the programs. This item is on the September 27, 2007 Transportation Review Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed materials.

*4D. Amendment to the FY 2008 MAG Unified Planning Work Program and Annual Budget to Include a Regional Transit Framework Study

MAG is responsible for system level transit planning activities that have the potential of impacting the Regional Transportation Plan (RTP). In cooperation with Valley Metro/RPTA and Valley Metro Rail, MAG has drafted a scope of work and request for proposals for developing the Regional Transit Framework Study. The study will provide a technical framework for evaluating future transit investments beyond those contained in the RTP. It is anticipated that the results of this study would be incorporated into the MAG RTP for approval by the MAG Regional Council. This project will require an amendment to the FY 2008 MAG

4C. Recommend approval of amendments and administrative modifications, shown in the attached tables, to the FY 2008-2012 Transportation Improvement Program, the FY 2008 Arterial Life Cycle Program, and, as appropriate, to the Regional Transportation Plan 2007 Update.

4D. Recommend approval of an amendment to the FY 2008 MAG Unified Planning Work Program and Annual Budget to conduct the Regional Transit Framework Study in the amount of \$980,000.

Unified Planning Work Program and Annual Budget. MAG federal funds would be used for this project. Please refer to the enclosed material.

*4E. New Finding of Conformity for the Regional Transportation Plan 2007 Update and FY 2008-2012 MAG Transportation Improvement Program, as Amended

On July 25, 2007, the MAG Regional Council approved a proposed amendment to the Regional Transportation Plan to delete the SR 153 corridor and add a project to improve the existing SR 143 and SR 202 Loop traffic interchange, and to amend the Regional Transportation Plan and the FY 2008-2012 MAG Transportation Improvement Program subject to an air quality conformity analysis. MAG has conducted a regional emissions analysis for the proposed amendment. The results of the regional emissions analysis for the proposed amendment, when considered together with the RTP and TIP as a whole, indicate that the transportation improvements will not contribute to violations of federal air quality standards. Any comments on the amendment and finding of conformity are requested by October 22, 2007 following a 30-day public review period. Please refer to the enclosed material.

*4F. Recommendation of Prioritized List of Proposed PM-10 Certified Street Sweeper Projects for FY 2008 CMAQ Funding

The FY 2008 MAG Unified Planning Work Program and Annual Budget and the FY 2008-2012 MAG Transportation Improvement Program contain \$1,110,000 in Congestion Mitigation and Air Quality (CMAQ) funding for the purchase of PM-10 certified street sweepers. PM-10 certified street sweeper projects were solicited from member agencies in the Maricopa County PM-10 nonattainment area and 18 applications requesting \$3.07 million in federal funds were received. On September 25, 2007, the MAG Air Quality Technical Advisory Committee made a recommendation on a prioritized list of proposed PM-10 certified street sweeper projects for FY

4E. Recommend approval of the new Finding of Conformity for the Regional Transportation Plan 2007 Update and FY 2008-2012 MAG Transportation Improvement Program, as amended.

4F. Recommend approval of a prioritized list of proposed PM-10 certified street sweeper projects for FY 2008 CMAQ funding and retain the prioritized list for any additional FY 2008 CMAQ funds that may become available due to year-end closeout, including any redistributed obligation authority, or additional funding received by this region.

2008 CMAQ funding. Please refer to the enclosed material.

*4G. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment to the FY 2008-2012 MAG Transportation Improvement Program. The proposed amendment includes the repackaging of existing Arizona Department of Transportation projects on Interstate-17 and on Interstate-10 between Loop 101 (Agua Fria Freeway) and Verrado Way. The amendment also includes ten federal-aid projects for the paving of dirt roads and shoulders in the Maricopa PM-10 Nonattainment Area for FY 2008, and several transit projects. The amendment includes projects that may be categorized as exempt and minor project revisions that do not require a conformity determination. Comments on the conformity assessment are requested by October 22, 2007. Please refer to the enclosed material.

*4H. FY 2009 MAG PSAP Annual Element/Funding Request and FY 2009-2013 Equipment Program

Each year, the MAG Public Safety Answering Point (PSAP) Managers submit inventory and upgrade requests that are used to develop a five-year equipment program that forecasts future 911 equipment needs of the region and enables MAG to provide estimates of future funding needs to the Arizona Department of Administration (ADOA). The ADOA Order of Adoption stipulates allowable funding under the Emergency Telecommunications Services Revolving Fund, which is funded by the monthly 911 excise tax on wireline and wireless telephones. The funding request for FY 2009 is required to be submitted to the ADOA by December 15, 2007. The MAG PSAP Managers and the MAG 911 Oversight Team recommended approval of the Funding Request and Equipment Program. Please refer to the enclosed material.

4G. Consultation.

4H. Recommend approval of the FY 2009 MAG PSAP Annual Element/Funding Request and FY 2009-2013 Equipment Program for submittal to the Arizona Department of Administration.

*4i. Draft MAG 208 Small Plant Review and Approval for the Proposed Scorpion Bay Wastewater Treatment Plant

The City of Peoria has requested that MAG review the proposed Scorpion Bay Wastewater Treatment Plant through the Small Plant Review and Approval Process of the MAG 208 Water Quality Management Plan. The facility would have an ultimate capacity of 35,000 gallons per day and reclaimed water would be disposed of through on-site irrigation reuse at the Scorpion Bay Marina. The project is located within the Peoria Municipal Planning Area and Lake Pleasant Regional Park that is managed by Maricopa County. The right to use the land for the Scorpion Bay Marina has been granted through an agreement with the Maricopa County Parks and Recreation Department. Maricopa County has also provided a letter indicating that it does not object to the proposed wastewater treatment plant. In addition, Yavapai County is within three miles of the project and has indicated no objections. On September 17, 2007, the MAG Water Quality Advisory Committee recommended approval of the Small Plant Review and Approval for the proposed plant. Please refer to the enclosed material.

*4j. 2007 Regional Human Services Summit Report

In June 2007, nearly 200 people attended MAG's first Regional Human Services Summit. Participants developed the framework for eight projects, which are detailed in the 2007 Regional Human Services Summit Report. The projects address a diverse range of issues such as juvenile crime, developmental disabilities and aging. Community leaders have pledged to move the projects forward. The MAG Continuum of Care Regional Committee on Homelessness, the MAG Regional Domestic Violence Council, and the MAG Human Services Technical Committee have recommended approval of the Report. Please refer to the enclosed material.

4i. Recommend approval of the proposed Scorpion Bay Wastewater Treatment Plant as part of the MAG 208 Water Quality Management Plan.

4j. Recommend approval of the 2007 Regional Human Services Summit Report.

*4K. Federally Funded Projects Update

MAG Staff will provide member agencies with an update on federally funded projects. This update will include an overview of the MAG Fed-TIP website, an analysis of projects that were deferred from FY 2007 to a later year, and the current status of active and inactive projects. Please refer to the enclosed material.

4K. Information and discussion.

ITEMS PROPOSED TO BE HEARD

5. FY 2008 Early Phase Input Opportunity Report

The Early Phase Input Opportunity provides for initial public input prior to a draft listing of projects being compiled for a draft Transportation Improvement Program. Early Phase input opportunities included MAG committee meetings, an Early Phase Stakeholders meeting, and special events such as the National Federation of the Blind of Arizona statewide conference and Hispanic Women's Conference. Input was also received electronically via e-mail and through the MAG Web site. All input received is included in the FY 2008 Early Phase Input Opportunity Report. Please refer to the enclosed material.

5. Information and discussion.

6. 2007 Annual Report on the Status of the Implementation of Proposition 400

Arizona Revised Statute 28-6354 requires that MAG issue an annual report on the status of projects funded by the half-cent sales tax authorized by Proposition 400. The 2007 Annual Report is the third report in this series. Staff will brief the Committee on the findings of the 2007 report, including the status of the Life Cycle Programs for Freeways/Highways, Arterial Streets, and Transit. A Summary of Findings and Issues has been enclosed and the full report is available on the MAG website.

6. Information and discussion.

7. Air Quality Update

In accordance with the Clean Air Act, the MAG Five Percent Plan for PM-10 is required to reduce

7. Information and discussion.

PM-10 particulate emissions by five percent per year until the standard is attained at the monitors. The plan is due to the Environmental Protection Agency by December 31, 2007. To date, commitments to implement measures have been received from ADOT, Maricopa County, and all of the cities and towns in the PM-10 nonattainment area. The Legislature also passed SB 1552 which contains several PM-10 measures. These committed measures are being evaluated to determine the air quality impacts. In addition, the MAG Eight-Hour Ozone Plan was submitted to the EPA by June 15, 2007. On June 20, 2007, EPA proposed to strengthen the eight-hour ozone standards and finalize them by March 12, 2008. Please refer to the enclosed material.

8. Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area

Maricopa County has requested that MAG amend the 208 Water Quality Management Plan to include four water reclamation facilities (WRFs) for the Hassayampa Utility Company Northeast Service Area. The Campus 1 WRF would have an ultimate capacity of nine million gallons per day (mgd) and reclaimed water would be disposed of through reuse, recharge, and an Arizona Pollutant Discharge Elimination System (AZPDES) Permit discharge to the Hassayampa River. The Campus 2 WRF would have an ultimate capacity of 10 mgd and reclaimed water would be disposed of through reuse, recharge, and AZPDES Permit discharge points to the Dickey Wash and/or Hassayampa River. The Campus 3 WRF would have an ultimate capacity of 12 mgd and reclaimed water would be disposed of through reuse, recharge, and AZPDES Permit discharge points to the Dickey Wash and/or Phillips Wash. The Campus 4 WRF would have an ultimate capacity of 14 mgd and reclaimed water would be disposed of through reuse, recharge, and an AZPDES Permit discharge to the Phillips Wash. The Dickey Wash and Phillips Wash are tributaries to the Luke Wash. The project is within three miles of the Town of Buckeye and Buckeye has

8. Recommend approval of the Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area.

indicated that it objects to the amendment. A public hearing on the draft amendment was conducted on August 7, 2007. Following the hearing, the MAG Water Quality Advisory Committee recommended approval of the Draft 208 Plan Amendment. At the September Management Committee meeting, the Committee continued the Draft 208 Plan Amendment for 30 days until the October meeting of the Management Committee. Please refer to the enclosed material.

9. Comments from the Committee

An opportunity will be provided for Management Committee members to present a brief summary of current events. The Management Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

9. Information.

MINUTES OF THE
MAG MANAGEMENT COMMITTEE MEETING
September 12, 2007
MAG Office Building - Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

- | | |
|--|--|
| Jan Dolan, Scottsdale, Chair | * Mark Johnson, Guadalupe |
| Charlie McClendon, Avondale, Vice Chair | Darryl Crossman, Litchfield Park |
| # Bryant Powell for George Hoffman,
Apache Junction | Christopher Brady, Mesa |
| Dave Wilcox, Buckeye | Tom Martinsen, Paradise Valley |
| * Jon Pearson, Carefree | Terry Ellis, Peoria |
| * Usama Abujbarah, Cave Creek | Frank Fairbanks, Phoenix |
| Mark Pentz, Chandler | John Kross, Queen Creek |
| Pat Dennis for B.J. Cornwall, El Mirage | * Bryan Meyers, Salt River Pima-Maricopa
Indian Community |
| Alfonso Rodriguez, Fort McDowell
Yavapai Nation | Doug Sandstrom for Jim Rumpeltes, Surprise |
| # Tim Pickering, Fountain Hills | Jeff Kulaga, Tempe |
| * Lynn Farmer, Gila Bend | Reyes Medrano, Tolleson |
| * Joseph Manuel, Gila River
Indian Community | Gary Edwards, Wickenburg |
| George Pettit, Gilbert | Lloyce Robinson, Youngtown |
| Jessica Blazina for Ed Beasley, Glendale | Bill Hayden for Victor Mendez, ADOT |
| Brian Dalke, Goodyear | David Smith, Maricopa County |
| | Bryan Jungwirth for David Boggs,
Valley Metro/RPTA |

- * Those members neither present nor represented by proxy.
- # Participated by telephone conference call.
- + Participated by videoconference call.

1. Call to Order

The meeting was called to order by Chair Jan Dolan at 12:08 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Dolan noted that Bryant Powell, Apache Junction, and Tim Pickering, Fountain Hills, were participating by telephone conference call. She introduced and welcomed Gary Edwards, the new Town Manager for Wickenburg. Chair Dolan stated that transit tickets were available from Valley Metro/RPTA for those using transit to come to the meeting. Parking validation was available from MAG staff for those who parked in the parking garage. Chair Dolan stated that materials for agenda items #7 and #8 were at each place.

Chair Dolan presented a Resolution of Appreciation to MAG staff member, Don Worley, who was retiring after almost 20 years of service to MAG.

Chair Dolan presented a Resolution of Appreciation to Stephen Cleveland, recently retired Goodyear City Manager. She noted that Mr. Cleveland will be doing some consulting work. Chair Dolan stated that Mr. Cleveland performed many services at MAG, including allocation of federal funds and air quality. Photographs and a cake also marked the occasion.

Mr. Ellis stated that Mr. Cleveland had been a first rate city manager in this County for a long time. He stated that Goodyear is an example of how to do high quality, innovative development in the desert. Mr. Ellis remarked that this was no accident, it is because of good leadership and good management. Mr. Ellis stated that Mr. Cleveland always assisted and was the first to volunteer. He expressed his thanks to Mr. Cleveland and said that he was a good friend and a good manager who contributed to the public management profession.

Ms. Robinson stated that Mr. Cleveland was her boss for five years. She said that he is a man of process and change. Ms. Robinson stated that through Mr. Cleveland, she had learned to be efficient, interact with councilmembers, and follow through with a timely decision.

Mr. Dalke expressed his thanks to Mr. Cleveland for taking a chance on him 13 years before. He acknowledged Mr. Cleveland's mentoring, coaching, and leadership skills. Mr. Dalke stated that Mr. Cleveland taught them to dream big and they have reached a lot of those dreams. He noted that Mr. Cleveland also taught them the importance of public outreach.

Mr. McClendon stated that it was appropriate to recognize Mr. Cleveland at MAG because he exemplified regionalism. He added that Mr. Cleveland was a good neighbor to Avondale.

Mr. Rodriguez said that he had worked for Mr. Cleveland for three years. He stated that through Mr. Cleveland, he had learned about reaching for perfection. Mr. Rodriguez added that Mr. Cleveland had been a good friend, boss, and mentor.

Mr. Fairbanks expressed his agreement with members' comments about Mr. Cleveland. He stated that Mr. Cleveland had been a tremendous leader in professional management and set an example for leadership, commitment, and innovations. Mr. Fairbanks remarked that Mr. Cleveland was a great colleague to work with and that is important.

David Smith stated that Mr. Cleveland was a 24-hour-a-day professional, who keeps a pleasant demeanor during intense discussions. Mr. Smith stated that he might discuss Mr. Cleveland doing some consulting work and being a county liaison with the cities and towns on the implementation of air quality measures.

Chair Dolan expressed her thanks to Mr. Cleveland on behalf of the Management Committee. She commented on the fact that Mr. Cleveland had chaired a lot of MAG committees and had done a great job as a city manager.

Mr. Cleveland expressed that it had been a pleasure to work with members of the Management Committee. He said that MAG can take pride in its accomplishments when people can set aside

parochial views and do what is best for the region. Mr. Cleveland stated that those in the audience can also take pride because they have the Management Committee to wrestle with issues and to make recommendations to the elected officials. He spoke about how serving on a committee was very rewarding for him and helps to develop an appreciation and understanding for differences. Mr. Cleveland stated that a sharing of knowledge and experience will result in success. He stated that he was proud of MAG's efforts and his association with MAG. Mr. Cleveland offered his assistance if anyone or an organization needed his help.

3. Call to the Audience

Chair Dolan stated that Call to the Audience provides an opportunity to the public to address the Management Committee on items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Chair Dolan noted that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Public comments have a three minute time limit and there is a timer to help the public with their presentations.

Chair Dolan recognized public comment from Dianne Barker, who stated that Mr. Cleveland had been a blessing to the region. She expressed her hope that he would continue with his work on air quality issues. Ms. Barker noted that she had induced another citizen to attend the meeting. Ms. Barker stated that the bus on which she rode to the meeting was packed with passengers, but the fare box was not working. She commented that the amount generated by the fareboxes almost meets the administration cost. Ms. Barker suggested running buses at public expense might be an option. She commented that toll roads could bring in revenue to help in problem areas such as the Broadway Curve. Ms. Barker added that a bid needs to be put out for an elevated toll train. Chair Dolan thanked Ms. Barker for her comments.

4. Approval of Consent Agenda

Chair Dolan stated that agenda items #4A, #4B, #4C, #4D, #4E, and #4F were on the consent agenda. She asked if any member of the committee had questions or a request to have a presentation on any consent agenda item. None were noted. Chair Dolan reviewed the public comment guidelines for the consent agenda.

Chair Dolan recognized public comment from Doris Heisler, project director of the Tonopah Valley Association, who also submitted a written statement for the record. Ms. Heisler stated that Global Water Resources has presented impressive information to the Tonopah residents on facilities that Global operates in other areas of the state. Ms. Heisler stated that Global Water is interested in recycling and reusing the water more times than is customarily done in order to pump less water from ground wells. She said that Global Water is technically capable of providing good wastewater treatment needs for the developments proposed in the Tonopah Valley. Ms. Heisler stated that Global Water is sufficiently staffed and capitalized and can afford to put in the infrastructure necessary for the proper delivery, treatment, distribution, and recharge of water and wastewater. Ms. Heisler noted that Global has indicated its desire to invest in the proper infrastructure. She added that this could eventually lead to users being taken off septic systems. Ms. Heisler stated that she would continue her comments during agenda item #8. Chair Dolan thanked Ms. Heisler for her comments.

Mr. Ellis moved to recommend approval of consent agenda items #4A, #4B, #4C, #4D, #4E, and #4F. Mr. McClendon seconded, and the motion carried unanimously.

4A. Approval of August 8, 2007 Meeting Minutes

The Management Committee by consent, approved the August 8, 2007 meeting minutes.

4B. Arterial Life Cycle Program Status Report

The Arterial Life Cycle Program (ALCP) Status Report covers the period from January to June of 2007 and includes an update on ALCP Project work, the FY 2008 ALCP schedule, and ALCP revenues and finances. This item was on the agenda for information and discussion.

4C. Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Southwest Service Area

The Management Committee, by consent, recommended approval of the Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Southwest Service Area. Maricopa County has requested that MAG amend the 208 Water Quality Management Plan to include the Campus 1 water reclamation facility for the Hassayampa Utility Company Southwest Service Area with an ultimate capacity of 32 million gallons per day (mgd). Reclaimed water from the facility would be disposed of through reuse, recharge, and AZPDES Permit discharge points to the Delaney Wash, Four Mile Wash, Old Camp Wash, and/or a discharge point 12,000 feet northeast of the facility in an unnamed wash. The Delaney Wash, Old Camp Wash, and the unnamed wash are tributaries to the Four Mile Wash. A public hearing on the draft amendment was conducted on August 7, 2007. Following the hearing, the MAG Water Quality Advisory Committee recommended approval of the Draft 208 Plan Amendment.

4D. Registration for the Local Update of Census Addresses Program

The Local Update of Census Addresses (LUCA) Program provides cities, towns and the county with an opportunity to update the Census Bureau address list for their jurisdiction. The address list will be used to distribute Census 2010 questionnaires. An accurate address list is crucial to obtaining a good census population count, which will be used to distribute billions of dollars in state-shared revenue to Arizona cities and towns. In early August, the Census Bureau sent out an invitation and a registration form to the Highest Elected Official of each city, town and the county, inviting him/her to participate in the LUCA program. To receive the full 120 days to review and provide comments on the address list, jurisdictions need to register for the LUCA Program by November 19, 2007. This item was on the agenda for information and discussion.

4E. MAG Incarceration of Municipal Prisoners Stakeholders Group

In May 2007, the Management Committee reconstituted the MAG Incarceration of Municipal Prisoners Stakeholders Group. The Stakeholders Group has met to discuss current methodology for determining the per diem costs and booking fees related to the incarceration of municipal offenders. The Stakeholders Group also discussed current and potential factors affecting costs

related to these activities. The next meeting of the Stakeholders Group will be October 2nd, and the discussion will be focused on one of the primary potential cost savings approaches, remote offender adjudication through video/audio access. A final meeting will be held to discuss other cost savings approaches, as well as draft cost and fee projections through 2014. A final report from the Incarceration Stakeholders Group is expected to be available for consideration by the Management Committee in November 2007. This item was on the agenda for information and discussion.

4F. ADOT Red Letter Process

In June of 1996, the MAG Regional Council approved the ADOT Red Letter process, which requires MAG member agencies to notify ADOT of potential development activities in freeway alignments. Development activities include actions on plans, zoning and permits. ADOT has forwarded a list of notifications from January 1, 2007, to June 30, 2007. Upon request any of the notices can be removed from the consent agenda and returned for action at a future meeting. This item was on the agenda for information and discussion. ADOT received 709 Red Letter notifications in the period from January 1, 2007 to June 30, 2007. In addition to the 181 separate examples attached, ADOT has requested a complete set of plans for the developments and a plan review on an additional 195 notifications. The 195 additional notices included zoning changes and/or general plan amendments that would put future developments adjacent or very close to ADOT right-of-way that would cause concerns. The ADOT Red Letter coordinator also received 84 telephone, mail, and/or email notifications of possible impact to the State Highway System. The 84 telephone, mail, and/or email notifications consisted of 25 notifications on the Estrella Corridor, 303 Loop and 26 on the South Mountain, 202 Loop, 20 on the I-10 Reliever and 13 on the 303 Loop south of I-10.

5. Youth Empowerment Project Update

Amy St. Peter, MAG Human Services Manager, stated that the MAG Regional Domestic Violence Council and the Human Services Coordinating Committee created the Youth Empowerment Project to address teen dating violence. She stated that teens developed messages by entering a competition to promote the project and the website, www.weboffriends.org. Ms. St. Peter reported that a public service announcement of the winning entry was produced. The winning video entry was shown to the Committee. Ms. St. Peter invited members to feature the public service announcement on their community cable stations and websites.

6. Reexamination of the MAG Highway Acceleration Policy

Eric Anderson, MAG Transportation Director, provided an overview of the MAG Acceleration Policy that was adopted in March 2000. He stated that the policy outlines the process for jurisdictions to accelerate projects. Mr. Anderson stated that the Policy ensures that local financing is provided in a fiscally prudent manner, and ensures that other projects are not affected and also stay on schedule. Mr. Anderson stated that the sharing of interest costs recognizes the benefit to both the local jurisdiction and the region because costs resulting from future inflation are avoided.

Mr. Anderson reviewed the background of the Acceleration Policy. He stated that when reimbursement guidelines were first established in February 1995, the local jurisdiction had to pay 100 percent of the interest. Mr. Anderson stated that revised guidelines were adopted in May 1997. They provided for interest sharing between the ADOT Program and local jurisdictions. Mr. Anderson advised that this was a major change and resulted from the feeling that the cities should not have to bear 100 percent of the interest cost.

Mr. Anderson stated that the guidelines were revised again in March 2000. He said that language was added to cover non-Proposition 300 highway projects. Mr. Anderson stated that the City of Mesa, to accelerate the US 60 project, paid 100 percent of the interest cost. Mr. Anderson stated that with the passage of Proposition 400, all freeway and highway projects are included in the 20-year life cycle program. He noted that prior to Proposition 400, there were two separate funds.

Mr. Anderson displayed a chart that showed projects accelerated to-date by the jurisdictions of Phoenix, Chandler, Mesa, and Avondale, Goodyear, and Litchfield Park. He noted that the funding sources included HELP loans, Grant Anticipation Notes, HPAN and local funds.

Mr. Anderson reviewed the requirements of the MAG Acceleration Policy: the project must be in Plan; ADOT is responsible for constructing the project; enhancements, such as artwork, are not eligible for reimbursement; agreement of other jurisdictions is required if the project crosses boundaries; coordination is needed with adjacent jurisdictions and avoidance of adverse traffic impacts; maintain any previous commitments of local funds; repayment of project costs and interest will follow the life cycle program schedule; provides for the calculation of interest reimbursement; the payment schedule is adjusted as other projects in the program; there can be no adverse impacts on other projects in the program; ADOT will notify MAG of any requests to accelerate a project; and non-recoverable costs are paid by the jurisdiction if the accelerated project does not move forward.

Mr. Anderson stated that the sharing of interest expense is a section that may warrant simplification. He stated that interest expense is shared between the ADOT Program and the local jurisdiction. Mr. Anderson commented that interest sharing is based on expected inflation savings and the local share of interest expense is reduced by half of the inflation rate. He then provided an example of interest sharing. For example, if the interest rate is five percent and the ADOT inflation rate is six percent, the local share of interest is calculated using half of the ADOT inflation rate, in this case, three percent. The three percent is then deducted from the five percent and the city share of interest would be two percent. Mr. Anderson advised that the interest sharing amount depends on the interest rate and notes.

Mr. Anderson stated that issues that could be discussed in an examination of the Acceleration Policy could include: Should the Acceleration Policy apply to all highway and freeway projects? What form of local commitment does there need to be for MAG to consider an acceleration request? Should the sharing of interest expense include a fixed percentage rather than one tied to the ADOT projected inflation rate, or should there be a minimum local share of interest? The use of regional financing capacity versus local financing. He noted that MAG has a Grant Anticipation Note capacity of \$400 million. Mr. Anderson advised that the first two years of the

TIP are financially constrained, and a project cannot be put in the TIP until there is a financial commitment.

Chair Dolan stated that she had requested this item be on the agenda due to recent discussions on the I-10 widening and the changes due to STAN I and STAN II. She said that she would like managers or their transportation representatives to form a working group to examine the issues Mr. Anderson mentioned in his presentation. Chair Dolan noted that the working group might or might not recommend changes.

Mr. Pentz expressed his support for forming a working group. He said that because circumstances have changed, the process may need to be reexamined, and participation by the managers would be appropriate. He stated that he appreciated the proactive approach.

Mr. Brady said that he thought a reexamination by a working group was a good idea and he would be glad to assist. He said that circumstances have changed and stepping back with a look at lessons learned was needed.

Chair Dolan asked those interested agency managers or their representative could contact Mr. Anderson who would facilitate formation of the group.

7. Assignment of Funding to the MAG Transportation Program by Congressional/Legislative Action

Dennis Smith, MAG Executive Director, reported on state and federal funding that comes to the region. Mr. Smith stated that MAG is federally required to develop the Regional Transportation Plan, the Transportation Improvement Program, and the Unified Planning Work Program in cooperation with the Arizona Department of Transportation and transit agencies.

Mr. Smith stated that because MAG is an MPO and TMA, it is subject to a certification review. He explained that based on a finding during one of these reviews, ADOT must provide federal funding revenue estimates to MAG. Mr. Smith stated that the MAG TIP, approved by the Governor, needs to be included without modification into the State Transportation Improvement Program. He noted that this is important because the TIP is being modeled for air quality and cannot be changed.

Mr. Smith stated that in 1999, after TEA-21 passed, Mary Peters, who was at that time the ADOT Director, pulled together representatives from the Arizona planning agencies. At this meeting an agreement, called the Casa Grande Resolves, was reached. He advised that the Resolves established a funding formula for federal and state transportation funds. Mr. Smith added that Arizona follows federal law, but this is not the case in all states, such as Colorado, where the DOT drives the process. He stated that the Resource Allocation Advisory Committee evolved from the Casa Grade Resolves process and is very unique in the United States. Mr. Smith noted that the Resource Allocation Advisory Committee is very important in distributing the federal money that comes to Arizona.

Mr. Smith stated that during Proposition 400, there was interest by the Legislature to select projects for the Plan. He noted that a memorandum by the General Counsel for the Arizona

Legislative Council said that to receive federal funding for projects, the state must comply with the federal planning requirements; a legislatively developed plan would be contrary to these requirements because the transportation plan must be cooperatively developed and approved by the MPO; if a transportation plan is developed contrary to the federal requirements, the Secretary of Transportation can refuse to approve projects and deny federal funding; the legislature probably could not appropriate federal monies provided for transportation projects; a state-funded project would require a conformity determination that would have to be made by MAG.

Mr. Smith stated that during the development of the Regional Transportation Plan for Proposition 400, all funding that was regional in nature was laid on the table and programmed for 20 years. He noted that Colorado, for example, has a 20-year plan but only five years are programmed, which means that there is competition to have projects funded in the sixth year. Mr. Smith advised that Arizona statutes include very strict amendment procedures for making changes to the Plan and also includes firewalls for funding categories. He added that MAG has probably the most strict procedures in the United States.

Mr. Smith explained above the line and below the line funding. He stated that the majority of federal transportation dollars are included in the formula to ADOT and are considered below the line. Mr. Smith stated that the Resource Allocation Advisory Committee formula distributes all of the federal and state funds and they are programmed by ADOT and the regional planning agencies. He advised that above the line funding is very limited and Arizona does not ordinarily receive these funds. He said that the majority of funding Arizona receives is below the line funding. He added that above the line funding is usually earmarked to a specific project by Congress.

Mr. Smith explained that transit funding is different from highway funding. He said that some transit dollars to Arizona are similar to the highway program and are formula driven, while others are highly competitive, such as new and small starts for light rail, commuter rail and bus rapid transit, and bus capital. Mr. Smith stated that RPTA provides the list of projects to be used to obtain federal transit money for the region's projects.

Mr. Smith stated that Arizona's cooperative relationship with ADOT is unique in the country. He noted that this region not only has a 20-year plan, it also has a 20-year program. Mr. Smith stated that a statewide funding formula is in place and has worked since 1999. He stated that tinkering with the formula to get money disrupts not only the agreement with the rural planning agencies in Arizona, but also the priorities MAG already established. Mr. Smith stated that the most important thing is keeping the commitment made to the voters to build the Plan. Mr. Smith stated we want to protect the MAG process to have the decisions come through MAG. Chair Dolan thanked Mr. Smith for his presentation and commented that the current process has been working well. She added that tinkering with this process is risky.

8. Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area

Julie Hoffman, MAG Environmental Planner, noted that Maricopa County has requested that MAG amend the 208 Water Quality Management Plan to include four water reclamation facilities (WRFs) for the Hassayampa Utility Company (HUC) Northeast Service Area located

in unincorporated Maricopa County. She noted that the total expected wastewater flows throughout the Area are projected to be 45 million gallons per day (mgd). Ms. Hoffman stated that on June 6, 2007, the MAG Water Quality Advisory Committee authorized a public hearing on the Draft MAG 208 Plan Amendment for the HUC Northeast Service Area. On August 7, 2007, MAG conducted a public hearing on the Draft MAG 208 Plan Amendments for the HUC Northeast Service Area and HUC Southwest Service Area. Ms. Hoffman noted that following the public hearing, the MAG Water Quality Advisory Committee recommended approval of the Draft MAG 208 Plan Amendment for the HUC Northeast Service Area. Ms. Hoffman noted that representatives from the County and the Hassayampa Utility Company were present to answer any questions. Chair Dolan thanked Ms. Hoffman for her report and asked members if they had any questions for Ms. Hoffman. None were noted.

Chair Dolan recognized public comment from Ms. Heisler, who continued her public comment. Ms. Heisler stated that last year, Global Water purchased the Water Utility of Greater Tonopah and is upgrading and improving the condition of the water system. She expressed concern that some of Tonopah would need to annex into Buckeye to receive services. Ms. Heisler commented that Tonopah does not want to be a part of Buckeye. Ms. Heisler stated that Buckeye does not have the experience of owning and operating these integrated services, nor the financial resources immediately available, as compared to Global Water. She commented that Global Water is capable of serving the area better than Buckeye, which is having difficulty keeping up with its own growth. Ms. Heisler stated if a private company such as Global Water is not able to provide the needed water and wastewater services to the area and Buckeye is, it could involve developments that are being proposed across the Tonopah Valley and be devastating to the future growth and development of Tonopah Valley. She requested that MAG approve the HUC Northeast Service Area and HUC Southwest Service Area 208 Plan Amendments and allow Global Water to provide the needed regional wastewater services for the proposed developments. Ms. Heisler stated that several people from Tonopah were at the meeting. Chair Dolan thanked Ms. Heisler for her comments.

Chair Dolan recognized public comment from Paul Gilbert, Beus Gilbert, the attorney representing Global Water. Mr. Gilbert acknowledged that they are aware that the Town of Buckeye has requested a 30-day continuance and they are going to go along with that request. Mr. Gilbert stated that because the Management Committee had already recommended approval of agenda item #4C, Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Southwest Service Area, a case virtually the same as Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area, he believed there was implicit acknowledgment that Global Water had complied with all of the requirements of the 208 process. Mr. Gilbert stated that Global takes exception with Buckeye's request to discuss matters that deal with the Arizona Department of Water Resources, water quantity and quality, and reclamation issues that are not part of the 208 process. Mr. Gilbert commented that he thought MAG was establishing a precedent that was going to be deleterious to the MAG organization in regard to future 208s. He said that they are concerned that there is nothing in the Clean Water Act that addresses Buckeye's reasons for continuing this item. Mr. Gilbert stated that Global has agreed to meet with and discuss Buckeye's concerns and he was glad to be able to work with Dave Wilcox on this matter. Mr. Gilbert advised that even though discussion is taking place, they do not want anyone to think Global is changing its position. He added that they are going along with a 30-day continuance

with the understanding that it will be the last request for a continuance. Mr. Gilbert stated that Global hopes that when they come back after 30 days, there will be a commitment from this body. Chair Dolan thanked Mr. Gilbert for his comments.

Mr. Wilcox moved to continue this item for 30 days until the October Management Committee meeting. Mr. McClendon seconded. Chair Dolan asked if there was discussion on the motion.

Mr. Pentz asked if a 30-day continuance was sufficient to work through the issues mentioned by the speaker. Mr. Wilcox commented that the Town of Buckeye's position is to have the opportunity to discuss with the applicant the optimal way of managing the Hassayampa River Basin water together. Mr. Wilcox said that the Town feels strongly that it is difficult, if not impossible to establish a sustainable water supply for the region without that cooperative approach. He said he felt the use of water includes reuse and recharge issues, part of which are incorporated into the 208 amendment. Mr. Wilcox stated that they have had successful dialogue to-date to negotiate an agreement to agree on the standards for the development and use of water in the area. He expressed that he was cautiously optimistic that those negotiations will continue. Mr. Wilcox commented that he felt not all issues will be resolved in 30 days, but a record of discussion and some agreement of collaborative water use could be established.

Chair Dolan, noting no further discussion, called for a vote on the motion, which passed unanimously. She noted that this item would be agendized in 30 days.

9. Comments from the Committee

An opportunity will be provided for Management Committee members to present a brief summary of current events. The Management Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Mr. McClendon commented on the statements made by Mr. Gilbert that the Management Committee's action on agenda item #4C, Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Southwest Service Area, implied that it would have to make a recommendation for approval in 30 days on the Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area agenda item. He stated that this puts the Management Committee in a difficult position. Mr. McClendon stated that he did not understand that they were tied together and if that is the case, he would like to make a motion to reconsider action on agenda item #4C. Chair Dolan noted that the comment was made by the attorney representing the water company, and did not mean that MAG accepted it.

David Smith reported that on Monday, the Board of Supervisors approved a major financial commitment to air quality. He said that they authorized 91 new positions, including 71 dust inspectors, supervisors, technologists, etc.; a 50 percent increase in the air quality budget, \$5 million for paving unpaved roads, and \$500,000 for the Planning and Development Department for coordinative work. Mr. Smith stated they are also looking at reorganizing the work process and will probably get a mobile dust monitor and other equipment. He stated that the Board wants a close collaborative relationship with municipal staff working on air quality issues.

Chair Dolan commented that this was a significant commitment and she expressed her appreciation for the County's support and Mr. Smith's efforts. She commented on the great article on Mr. Smith in The Arizona Republic. Chair Dolan expressed her congratulations to Mr. Worley and Mr. Cleveland for their service to the MAG region over the years.

There being no further business, the meeting adjourned at 1:10 p.m.

Secretary

Chairman

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

MAG Traffic Counts Data Retrieval System Design and Development Consultant Selection

SUMMARY:

The FY 2008 MAG Unified Planning Work Program and Annual Budget includes \$150,000 to conduct the MAG Traffic Counts Data Retrieval System Design and Development project. The final product of this project, a traffic counts data retrieval system, will serve as a primary data management tool for regionwide traffic counts related information. The system will ensure efficient data management of the regional traffic counts data. The data retrieval system will also provide user-friendly Web-enabled access to the traffic counts data for the MAG member agencies, consulting and business community, and general public.

The request for proposals was advertised on July 25, 2007. Three proposals were received from Wilbur Smith Associates, Carter & Burgess, Inc., and Midwestern Software Solutions. A multi-agency proposal evaluation team consisting of MAG member agencies and MAG staff reviewed the proposal documents. On September 12, 2007, the evaluation team interviewed the firms and recommended to MAG the selection of Midwestern Software Solutions to conduct the project in an amount not to exceed \$150,000.

PUBLIC INPUT:

No public input was received.

PROS & CONS:

PROS: This project will enhance MAG capability of managing, maintaining and presenting the available traffic counts data. It will provide MAG member agencies, the consulting and business community, and the general public with a better access to MAG traffic counts data.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: A traffic counts data retrieval system will be developed. This system will host all of MAG's historical and future (5-10 years) traffic counts data in a unified database and present them via interactive maps and tables. The system will facilitate traffic counts data exchange between MAG member agencies. The system will include tools to manipulate data records, conduct data analysis, and generate reports and graphics.

POLICY: Enhance access to traffic counts data for MAG member agencies and general public.

ACTION NEEDED:

Recommend that Midwestern Software Solutions be selected to conduct the MAG Traffic Counts Data Retrieval System Design and Development for an amount not to exceed \$150,000.

PRIOR COMMITTEE ACTIONS:

On September 12, 2007, the proposal evaluation team interviewed three firms and recommended to MAG the selection of Midwestern Software Solutions to conduct the project in an amount not to exceed \$150,000.

PROPOSAL EVALUATION TEAM

Carol Slaker, City of Mesa
Doug Eberline, Arizona Department of Transportation
Hong Guo, City of Chandler
Jamal Rahimi, City of Peoria
Joe Jobe, City of Phoenix
John Lynch, City of Scottsdale
Nicolaas Swart, Maricopa Department of Transportation
Audrey Skidmore, Maricopa Association of Governments
Sarath Joshua, Maricopa Association of Governments

CONTACT PERSON:

Wang Zhang, MAG (602) 254-6300.

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

Project Changes: Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program, FY 2008 Arterial Life Cycle Program, and, as Appropriate, to the Regional Transportation Plan 2007 Update

SUMMARY:

The FY 2008-2012 Transportation Improvement Program (TIP) and FY 2007 Regional Transportation Plan (RTP) 2007 Update were approved by the Regional Council on July 25, 2007, and the FY 2008 Arterial Life Cycle Program (ALCP) was approved by Regional Council on June 27, 2007. Since that time, there have been requests from member agencies to modify projects in the programs. The proposed amendments to the FY 2008-2012 TIP for 31 highway projects are listed in Table A, proposed amendments for 38 transit projects are listed in Table B, proposed administrative modifications for 24 highway projects are listed in Table C, and proposed administrative modifications for 13 transit projects are listed in Table D. In addition, administrative modifications to the ALCP are listed in Table E.

Four projects in the highway amendment: DOT06-221, DOT06-322, DOT07-344, and DOT08-838 have undergone a regional emissions analysis due to the nature of the project changes. This is covered under a separate agenda item. The other projects that may be categorized as exempt from conformity determinations and an administrative modification does not require a conformity determination, but a consultation process will be followed to confirm this.

PUBLIC INPUT:

None.

PROS & CONS:

PROS: Approval of this TIP amendment will allow the projects to proceed in a timely manner.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: Projects that wish to utilize transportation federal funds need to be shown in the TIP in the year that they expect to commence and may need to undergo an air quality conformity analysis or consultation.

POLICY: This amendment request is in accord with all MAG guidelines.

ACTION NEEDED:

Recommend approval of amendments and administrative modifications, shown in the attached tables, to the FY 2008-2012 Transportation Improvement Program, the FY 2008 Arterial Life Cycle Program, and, as appropriate, to the Regional Transportation Plan 2007 Update.

PRIOR COMMITTEE ACTIONS:

This item is on the September 27, 2007 Transportation Review Committee agenda. An update will be provided on action taken by the Committee.

CONTACT PERSON:

Eileen O. Yazzie (602) 254-6300.

PROJECT CHANGES
Management Committee September 25, 2007

Table A
Highway Projects - TIP FY2008-2012 Amendments

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
DOT06-221	ADOT	SH153 08 RC -- 153 Sky Harbor Expwy: Superior Ave to University Dr	Construct new 6 lane freeway	2009	1.30	RARF	\$ -	\$ -	\$ 16,000,000	\$ 16,000,000	Delete Project
DOT06-322	ADOT	SH153 08 LD -- 153 Sky Harbor Expwy: Superior Ave to University Dr	Design landscape	2009	1.30	RARF	\$ -	\$ -	\$ 60,000	\$ 60,000	Delete Project
DOT07-344	ADOT	SH153 08 LC -- 153 Sky Harbor Expwy: Superior Ave to University Dr	Construct landscape	2010	1.30	RARF	\$ -	\$ -	\$ 610,000	\$ 610,000	Delete Project
DOT07-641R1	ADOT	17: Jomax Rd to SR-74 (Carefree Hwy)	Widen freeway from 6 to 8 lanes	2008	5.00	RARF	\$ -	\$ -	\$ 95,000,000	\$ 95,000,000	Delete Project - Project is 'Repackaged'
DOT07-641R2	ADOT	17: Jomax Rd to SR-74 (Carefree Hwy)	Widen freeway from 6 to 8 lanes and Construct New Freeway Interchange at I-17 and 303L	2008	5.00	RARF	\$ -	\$ -	\$ 129,000,000	\$ 129,000,000	Add New Replacement Project - Project is 'Repackaged'
DOT07-711	ADOT	303 (Estrella Fwy): at I-17	Construct new freeway interchange	2008	1.20	RARF	\$ -	\$ -	\$ 34,000,000	\$ 34,000,000	Delete Project - Project is 'Repackaged'
DOT08-835	ADOT	101L (Pima): Princess Dr to SR202L (Red Mountain)	Design and Construct Freeway Management System (FMS)	2008	14.00	State	\$ 2,441,000	\$ -	\$ -	\$ 2,441,000	Add New Project
DOT08-836	ADOT	SR 85: Southern Ave to I-10	Design, Right-of-Way and Utilities	2008	2.30	State	\$ 2,850,000	\$ -	\$ -	\$ 2,850,000	Add New Project
DOT08-837	ADOT	I-17 at Dove Valley Rd TI	Advance design new traffic interchange (city advancement) for repayment in RTP phase 3	2008	-	Local	\$ 2,263,000	\$ -	\$ -	\$ 2,263,000	Add New Project
DOT08-838	ADOT	85: MP 139.01 to MP 141.71	Relocate utilities, Phase 2	2008	2.70	State	\$ -	\$ -	\$ 244,000	\$ 244,000	Add New Project
DOT08-838	ADOT	143 Hohokam, SR 143/SR202L TI	TI Improvements, adding ramps	2009	0.10	RARF	\$ -	\$ -	\$ 34,400,000	\$ 34,400,000	Add New Replacement Project
DOT08-839	ADOT	85: I-8 to I-10	Design, acquire right of way & relocate utilities, Phase 2	2008	34.00	State	\$ -	\$ -	\$ 280,000	\$ 280,000	Add New Project
BKY07-703	Buckeye	Various Locations: Yuma Rd, Miller Rd	Pave dirt roads	2008	2	CMAQ	\$ 42,350	\$ 42,350	\$ -	\$ 84,700	Add Project to FY2008 from FY07-11 TIP
BKY07-704	Buckeye	Various Locations: MC-85/Monroe, Southern Ave, Apache Rd	Pave dirt shoulders	2008	9.3	CMAQ	\$ 113,000	\$ 113,000	\$ -	\$ 226,000	Add Project to FY2008 from FY07-11 TIP
CHN03-107R	Chandler	Ryan Rd: Arizona Ave to McQueen Rd	Pave dirt road	2008	1	CMAQ	\$ 18,000	\$ 162,000	\$ -	\$ 180,000	Add Project to FY2008 from FY07-11 TIP
GLN07-779	Glendale	Various Locations: Camelback Rd, Litchfield Rd, Olive Ave, Greenway Rd, 83rd Ave, 75th Ave	Pave dirt shoulders	2008	5.17	CMAQ	\$ 133,035	\$ 133,035	\$ -	\$ 266,070	Add Project to FY2008 from FY07-11 TIP
GDY07-709	Goodyear	Various Locations: Chandler Heights Blvd, Queen Creek Rd, Rainbow Valley Rd	Pave dirt roads	2008	4.5	CMAQ	\$ 234,000	\$ 234,000	\$ -	\$ 468,000	Add Project to FY2008 from FY07-11 TIP

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
MMA05-214	Maricopa County	PM-10 roads various locations Country Club Dr: 8th Ave to Baseline Rd (including US-60 TI)	Pave dirt roads	2008	4.44	CMAQ	\$ 1,000,000	\$ 1,000,000	\$ -	\$ 2,000,000	Add Project to FY2008 from FY07-11 TIP
MES04-125C	Mesa		Install real-time adaptive signal system	2009	1.5	CMAQ	\$ 581,190	\$ 788,810	\$ -	\$ 1,370,000	Add Project to FY2009 from FY07-11 TIP
MES240-08P	Mesa	Power Rd: East Maricopa Floodway to Galveston Rd	Pre-design roadway widening	2008	3.5	FARF	\$ 161,000	\$ -	\$ 374,000	\$ 535,000	Delete project and consolidate into MES240-06AD - ALCP Adjustment
PEO08-602	Peoria	64th Ave: Peoria Ave to Monroe St	Design and construct at-grade pedestrian improvements	2008	0.28	CMAQ	\$ 1,013,030	\$ 1,164,057	\$ -	\$ 2,177,087	Add Project to FY2008 from FY07-11 TIP
PEO08-603	Peoria	Traffic Management Center	Construct Traffic Management Center	2008	0	CMAQ	\$ 424,350	\$ 990,200	\$ -	\$ 1,414,550	Add Project to FY2008 from FY07-11 TIP
PHX07-310	Phoenix	24th St: Rio Salado to Roeser Rd	Improve pedestrian facilities	2008	1	CMAQ	\$ 1,889,577	\$ 500,000	\$ -	\$ 2,389,577	Add Project to FY2008 from FY07-11 TIP
PHX07-740	Phoenix	Various Locations	Pave dirt roads	2008	8.79	CMAQ	\$ 1,978,650	\$ 1,978,650	\$ -	\$ 3,957,300	Add Project to FY2008 from FY07-11 TIP
PHX07-741	Phoenix	Various Locations	Pave dirt shoulders	2008	12.1	CMAQ	\$ 1,525,304	\$ 1,525,304	\$ -	\$ 3,050,608	Add Project to FY2008 from FY07-11 TIP
QNC07-745	Queen Creek	Chandler Heights Rd: Power Rd to Hawes Rd	Pave dirt shoulders	2008	1.5	CMAQ	\$ 111,691	\$ 111,691	\$ -	\$ 223,382	Add Project to FY2008 from FY07-11 TIP
QNC07-746	Queen Creek	Hunt Highway: Power Rd to Elisworth	Pave dirt shoulders	2008	3	CMAQ	\$ 204,893	\$ 204,893	\$ -	\$ 409,786	Add Project to FY2008 from FY07-11 TIP
SCT07-606	Scottsdale	Dynamite Blvd: Pima Red to Alma School Rd	Install Vertical Curb and Gutter	2008	3	CMAQ	\$ 500,000	\$ 500,000	\$ -	\$ 1,000,000	Add Project to FY2008 from FY07-11 TIP
TMP04-102	Tempe	Curry Rd: Scottsdale Rd to McClintock Dr	Design and construct pedestrian facilities	2008	1	CMAQ	\$ 105,600	\$ 438,200	\$ -	\$ 543,800	Add Project to FY2008 from FY07-11 TIP
TMP04-104R	Tempe	Western Canal: Price Rd to Baseline Rd (phases 1 and 2)	Construct multi-use path	2008	3.75	CMAQ	\$ 6,250,000	\$ 3,350,000	\$ -	\$ 9,600,000	Add Project to FY2008 from FY07-11 TIP

**Table B
Transit Projects - TIP FY2008-2012 Amendment**

PROJ #	Agency	FTA ALI #	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
AVN08-802T	Avondale	30.09.01	Operating: Operating Assistance	2008		5307	\$ 869,823	\$ 869,823	\$ -	\$ 1,739,646	Add new project: Avondale 5307 Appropriation
BKY08-807T	Buckeye	11.31.04	Pre-design for regional park- and-ride (East Buckeye)	2008		5309	\$ -	\$ 76,744	\$ 19,186	\$ 95,930	Add Project to FY2008 from FY07-11 TIP: Align TIP with TLCP and allocate Section 5309 fixed guideway (Transit HOV) formula allocation
GLN08-816T	Glendale	11.12.04	Purchase bus: < 30 foot - 4 replace (dial-a-ride)	2008		5307	\$ -	\$ 243,200	\$ 60,800	\$ 304,000	Add Project to FY2008 from FY07-11 TIP: Align TIP with Transit Life Cycle Program (TLCP)
MMA08-804T	Maricopa County	11.12.04	Purchase bus: < 30 foot - 7 replace (STS)	2008		5316	\$ 77,000	\$ 308,000	\$ -	\$ 385,000	Add New JARC Project
MMA08-805T	Maricopa County	11.42.07	Computer Hardware	2008		5316	\$ 13,785	\$ 55,140	\$ -	\$ 68,925	Add New JARC Project
MMA08-806T	Maricopa County	11.42.08	Computer Software	2008		5316	\$ 15,384	\$ 61,336	\$ -	\$ 76,670	Add New JARC Project

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
MMA08-807T	Maricopa County	30.09.01	Operating: Operating Assistance	2008		5316	\$ 939,127	\$ 939,127	\$ -	\$ 1,878,254	Add New JARC Project
MMA08-808T	Maricopa County	30.09.01	Operating: Operating Assistance	2008		5317	\$ 130,865	\$ 130,865	\$ -	\$ 261,730	Add New "New Freedoms" Project
MES08-810T	Mesa	11.31.04	Pre-design for regional park-and-ride (US60 and Country Club)	2008		5309	\$ 76,744	\$ -	\$ 19,186	\$ 95,930	Add Project to FY2008 from FY07-11 TIP: Align TIP with TLCP and allocate Section 5309 fixed guideway (Transit HOV) formula allocation
PEO07-302T	Peoria	11.12.04	Purchase bus: < 30 foot - 2 replace	2008		5307	\$ -	\$ -	\$ 30,400	\$ 152,000	Add Project to FY2008 from FY07-11 TIP
PHX07-640T	Phoenix	11.43.02	Construct regional heavy maintenance facility	2007		5307	\$ -	\$ 1,972,000	\$ 493,000	\$ 2,465,000	Delete Project: Construction deferred. New year yet to be determined.
PHX08-844T	Phoenix	11.31.04	Repayment of pre-design for regional park-and-ride (I-17/Happy Valley)	2008		5309	\$ 17,180	\$ 68,722	\$ -	\$ 85,902	Add Project to FY2008 from FY07-11 TIP: Align TIP with TLCP and allocate Section 5309 fixed guideway (Transit HOV) formula allocation
PHX08-845T	Phoenix	11.41.02	Repayment design heavy maintenance facility	2008		5309	\$ -	\$ 200,640	\$ (200,640)	\$ -	Add Project to FY2008 from FY07-11 TIP: SAFETEA-LU reauthorization Section 5309 earmark
PHX08-846T	Phoenix	11.41.03	Repayment construct operating facility (West Valley)	2008		5309	\$ -	\$ 1,003,200	\$ (1,003,200)	\$ -	Add Project to FY2008 from FY07-11 TIP: SAFETEA-LU reauthorization Section 5309 earmark
PHX08-847T	Phoenix	11.41.03	Repayment design Paratransit facility (Phoenix)	2008		5309	\$ -	\$ 200,640	\$ (200,640)	\$ -	Add Project to FY2008 from FY07-11 TIP: SAFETEA-LU reauthorization Section 5309 earmark
PHX08-848T	Phoenix	11.80.00	Program Administration	2008		5316	\$ -	\$ 151,512	\$ -	\$ 151,512	Add New JARC Project
PHX08-849T	Phoenix	11.13.04	Four Sisters Meals 2-U: Purchase bus: < 30 foot - 1 expand	2008		5317	\$ 9,000	\$ 36,000	\$ -	\$ 45,000	Add New "New Freedoms" Project
PHX08-850T	Phoenix	30.09.01	Four Sisters Meals 2-U: Operating: Operating Assistance	2008		5317	\$ 132,400	\$ -	\$ -	\$ 264,800	Add New "New Freedoms" Project
SCT08-807T	Scottsdale	11.33.03	Repayment construct intermodal facility (Scottsdale)	2008		5309	\$ -	\$ 501,600	\$ (501,600)	\$ -	Add new project: SAFETEA-LU reauthorization Section 5309 earmark
SUR08-804T	Surprise	30.09.01	Operating: Operating Assistance	2008		5317	\$ 50,000	\$ 50,000	\$ -	\$ 100,000	Add New "New Freedoms" Project
TMP08-809T	Tempe	11.41.03	Repayment construct operating facility (East Valley)	2008		5309	\$ -	\$ 1,304,160	\$ (1,304,160)	\$ -	Add Project to FY2008 from FY07-11 TIP: SAFETEA-LU reauthorization Section 5309 earmark
RPT06-312T	Valley Metro	11.32.04	Design and acquire right of way for regional park-and-ride	2007		5309	\$ -	\$ 1,312,000	\$ 328,000	\$ 1,640,000	Delete Project: Replaced by agency specific projects
VMT07-616T	Valley Metro	11.31.01	Pre-design regional transit center (4-bay)	2007		PTF	\$ -	\$ 31,523	\$ 7,881	\$ 39,404	Delete Project: Replaced by agency specific projects
VMT07-617T	Valley Metro	11.31.01	Pre-design regional transit center (6-bay)	2007		PTF	\$ -	\$ 47,762	\$ 11,941	\$ 59,703	Delete Project: Replaced by agency specific projects

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
VMT07-623T	Valley Metro	11.42.10	Purchase new fareboxes - 13 expand	2007		PTF	\$ -	\$ -	\$ 155,293	\$ 155,293	Delete Project: Fareboxes included in bus project line items
VMT07-624T	Valley Metro	11.42.10	Purchase new fareboxes - 19 expand	2007		5307	\$ -	\$ 181,503	\$ 45,376	\$ 226,879	Delete Project: Fareboxes included in bus project line items
VMT07-625T	Valley Metro	11.42.10	Purchase new fareboxes - 3 expand	2007		5309	\$ -	\$ 28,658	\$ 7,165	\$ 35,823	Delete Project: Fareboxes included in bus project line items
VMT07-626T	Valley Metro	11.42.10	Purchase new fareboxes - 4 expand	2007		5307	\$ -	\$ 38,211	\$ 9,553	\$ 47,764	Delete Project: Fareboxes included in bus project line items
VMT07-627T	Valley Metro	11.62.03	Purchase new radios/VMS - 13 expand	2007		PTF	\$ -	\$ -	\$ 170,716	\$ 170,716	Delete Project: Radios/VMS included in bus line items
VMT07-628T	Valley Metro	11.62.03	Purchase new radios/VMS - 19 expand	2007		5307	\$ -	\$ 199,606	\$ 49,902	\$ 249,508	Delete Project: Radios/VMS included in bus line items
VMT07-629T	Valley Metro	11.62.03	Purchase new radios/VMS - 3 expand	2007		5309	\$ -	\$ 31,517	\$ 7,879	\$ 39,396	Delete Project: Radios/VMS included in bus line items
VMT07-630T	Valley Metro	11.62.03	Purchase new radios/VMS - 4 expand	2007		5307	\$ -	\$ 42,022	\$ 10,506	\$ 52,528	Delete Project: Radios/VMS included in bus line items
VMT07-701T	Valley Metro	11.32.02	Design and acquire right of way for Regional Transit Center (4-bay)	2007		5307	\$ -	\$ 825,921	\$ 206,480	\$ 1,032,401	Delete Project: Replaced by agency specific projects
VMT07-702T	Valley Metro	11.32.04	Acquire land - two regional park-and-ride	2007		5309	\$ -	\$ 2,388,104	\$ 597,026	\$ 2,985,130	Delete Project: Replaced by agency specific projects
VMT08-823T	Valley Metro	11.12.01	Purchase bus: standard - 5 replace	2008		STP-Flex	\$ -	\$ 2,063,991	\$ 372,088	\$ 2,188,750	Add Project to FY2008 from FY07-11 TIP: 5 buses moved from RPT07-323T to utilize STP-Flex allocation
VMT08-825T	VM/RPTA	11.7L.00	Mobility Management - Travel Training Program	2008		5317	\$ 32,200	\$ 128,800	\$ -	\$ 161,000	Add New "New Freedoms" Project
VMT08-826T	VM/RPTA	11.7L.00	Mobility Management - EV Alternative Paratransit Services	2008		5317	\$ 36,000	\$ 144,000	\$ -	\$ 180,000	Add New "New Freedoms" Project
VMT08-827T	VM/RPTA	30.09.01	Operating: Operating Assistance - EV Alternative Paratransit Services	2008		5317	\$ 349,000	\$ 349,000	\$ -	\$ 698,000	Add New "New Freedoms" Project

**Table C
Highway Projects - TIP FY2008-2012 Administrative Modifications**

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
DOT07-336	ADOT	RM202L13 LC -- 202L Red Mountain Fwy: Power Fld to University Dr	Construct landscape	2008	4.50	RARF	\$ -	\$ -	\$ 6,400,000	\$ 6,400,000	Increase Regional Cost
DOT08-669	ADOT	10R: Loop 303 (Estrella Fwy) to Loop 202 (South Mountain Fwy)	Protect right of way	2008	14.00	RARF	\$ -	\$ -	\$ 15,000,000	\$ 15,000,000	Increase Regional Cost
DOT08-747	ADOT	10: Sarival Ave to Loop 101L (Agua Fria Fwy)	Advance construct HOV and general purpose lanes (City advancement) for repayment in 2014	2008	8.00	Local Agency	\$ 51,000,000	\$ -	\$ -	\$ 51,000,000	Change Project Location ²

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
DOT08-749C	ADOT	10: Sarivall Ave to 101L (Agua Fria)	Construct HOV and general purpose lanes (Pavement Preservation funds)	2008	8.00	State	\$ 6,000,000	\$ -	\$ -	\$ 6,000,000	Change Project Location ²
DOT08-750AC	ADOT	10: Sarivall Ave to 101L (Agua Fria)	Advance construct HOV and general purpose lanes (City advancement phase 1 of 2) for reimbursement in 2011	2008	8.00	Local Agency	\$ 44,000,000	\$ -	\$ -	\$ 44,000,000	Change Project Location ²
DOT09-752AC	ADOT	10: Sarivall Ave to Dysart Rd	Advance construct HOV and general purpose lanes (City advancement phase 2 of 2) for reimbursement in 2011	2009	4.00	Local Agency	\$ 35,000,000	\$ -	\$ -	\$ 35,000,000	Change Project Location ²
DOT09-815	ADOT	10: Verrado Way to Sarivall Ave	Construct general purpose lanes (2009)	2009	5.5	State	\$ 43,200,000	\$ -	\$ -	\$ 43,200,000	Change Project Description ³
MMA08-805	Maricopa County	Regionwide	Expand arterial traveler information systems, including 511 and AZ511.com	2008	0	HURF	\$ 258,275	\$ -	\$ -	\$ 258,275	Delete - Duplicate
MMA09-809	Maricopa County	Glendale, Peoria and Scottsdale City Limits	Establish REACT arterial incident response teams in Glendale and Peoria	2009	0	HURF	\$ 386,380	\$ -	\$ -	\$ 386,380	Delete - Duplicate
MMA12-817	Maricopa County	Olive Ave: Litchfield Rd to Loop 101 (Agua Fria Fwy)	Construct and install new conduit and fiber-optic cable for existing and planned ITS field devices	2012	0	HURF	\$ 760,914	\$ -	\$ -	\$ 760,914	Delete - Duplicate
MMA12-819	Maricopa County	Regionwide	Upgrade regional archived data server (RADS) equipment	2012	0	HURF	\$ 29,508	\$ -	\$ -	\$ 29,508	Delete - Duplicate
MES110-08RW	Mesa	Dobson Rd at Guadalupe Rd	Acquire right of way for intersection improvement	2009	1	RARF	\$ 101,000	\$ -	\$ 496,000	\$ 597,000	Change year from 2008 to 2009 - ALCP Adjustment
MES120-08C	Mesa	Greenfield Rd: Baseline Rd to Southern Ave	Construct roadway widening	2009	1	RARF	\$ 1,690,000	\$ -	\$ 3,941,000	\$ 5,631,000	Change year from 2008 to 2009 - ALCP Adjustment
MES125-07P	Mesa	Greenfield Rd: Southern Ave to University Dr	Pre-design roadway widening	2012	2	RARF	\$ 124,000	\$ -	\$ 290,000	\$ 414,000	Change year from 2010 to 2012 - ALCP Amend.
MES125-08D	Mesa	Greenfield Rd: Southern Ave to University Dr	Design roadway widening	2013	2	RARF	\$ 124,000	\$ -	\$ 290,000	\$ 414,000	Change year from 2011 to 2013 - ALCP Amend
MES125-09RW	Mesa	Greenfield Rd: Southern Ave to University Dr	Acquire right of way for roadway widening	2014	2	RARF	\$ 3,620,000	\$ -	\$ 1,551,000	\$ 5,171,000	Change year from 2012 to 2014 - ALCP Amend
MES190-07D	Mesa	Thomas Rd: Gilbert Rd to Val Vista Dr	Design roadway widening	2009	2	RARF	\$ 154,000	\$ -	\$ 357,000	\$ 511,000	Change year from 2008 to 2009 - ALCP Adjustment
MES190-08RW	Mesa	Thomas Rd: Gilbert Rd to Val Vista Dr	Acquire right of way for roadway widening	2009	2	RARF	\$ 569,000	\$ -	\$ 1,327,000	\$ 1,896,000	Change year from 2008 to 2009 - ALCP Adjustment
MES240-06AD	Mesa	Power Rd: East Maricopa Floodway to Galveston Rd	Pre-Design and Design roadway widening	2008	3.5	RARF	\$ 607,000	\$ -	\$ 1,416,000	\$ 2,023,000	Change description and funding amounts to include pre-design - ALCP Amend.
MES240-07ARW	Mesa	Power Rd: East Maricopa Floodway to Galveston Rd	Acquire right of way for roadway widening	2009	3.5	RARF	\$ 819,000	\$ -	\$ 1,913,000	\$ 2,732,000	Change year from 2008 to 2009 and funding amounts - ALCP Amend.
MES240-09AC	Mesa	Power Rd: East Maricopa Floodway to Galveston Rd	Construct roadway widening	2009	3.5	RARF	\$ 4,121,000	\$ -	\$ 6,405,000	\$ 10,526,000	Change funding amounts - ALCP Amend.

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
MES300-08ARW	Mesa	Country Club at University	Advance acquire right of way for intersection improvement for reimbursement in 2017	2009	1	Sales Tax	\$ 1,426,000		\$ -	\$ 1,426,000	Change year from 2008 to 2009 and funding amounts - ALCP Amend.
MES450-07AC	Mesa	Gilbert Rd at University Dr	Advance construct intersection improvement for reimbursement in 2021	2009	1	Sales Tax	\$ 10,693,000		\$ -	\$ 10,693,000	Change year from 2008 to 2009 - ALCP Adjustment
PHX08-710	Phoenix	19th Ave at Grand Canal	Construct bridge replacement	2009	0	BR	\$ 500,000	\$ 1,000,000	\$ -	\$ 1,500,000	Change type of funds from local to Federal Bridge funds

1. Combines widening of I-17 between Jomax and SR 74 with construction of a freeway interchange at the 303L. Does not affect air quality conformity.

2. Does not affect the location or construction of widening projects.

3. Corrects a typographical error in the TIP. Construction of the project was included in the air quality conformity analysis.

Table D Transit Projects - TIP FY2008-2012 Administrative Modifications											
PROJ #	Agency	FTA ALI #	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
MMA07-302T	Maricopa County	11.12.04	Purchase bus: < 30 foot - 13 replace (dial-a-ride)	2007		5307	\$ -	\$ 790,400	\$ 197,600	\$ 988,000	Increase from 10 to 13 buses, revise unit cost, and change match to PTF
PEO07-701T	Peoria	11.12.04	Purchase bus: < 30 foot - 4 replace	2007		5307	\$ -	\$ 243,200	\$ 60,800	\$ 304,000	Correct quantity. Change from 2 to 4 buses and revise unit cost
PHX04-213TRX	Phoenix	11.31.04	Repayment of advance design for regional park-and-ride	2007		CMAQ-Flex	\$ (245,811)	\$ 245,811	\$ -	\$ -	Change location from I-17/Peoria to I-17/Happy Valley
PHX07-306T	Phoenix	11.12.04	Purchase bus: < 30 foot - 30 replace (dial-a-ride)	2007		5307	\$ -	\$ 1,824,000	\$ 456,000	\$ 2,280,000	Revise unit cost
PHX07-308T	Phoenix	11.12.01	Purchase bus: standard - 35 replace	2007		5307	\$ -	\$ 12,716,638	\$ 2,604,613	\$ 15,321,250	Increase from 31 to 35 buses and revise unit cost
RPT07-323T	Valley Metro	11.12.01	Purchase bus: standard - 7 replace	2007		5307	\$ -	\$ 2,543,328	\$ 520,923	\$ 3,064,250	Decrease from 12 to 7 buses by moving 5 buses to STP-Flex and revise unit cost
RPT07-324T	Valley Metro	11.12.15	Purchase vanpools: 30 replace	2007		STP-Flex	\$ -	\$ 927,000	\$ -	\$ 927,000	Move to STP-Flex
RPT07-326T	Valley Metro	11.13.15	Purchase vanpools: 11 expand	2007		CMAQ-Flex	\$ -	\$ 337,500	\$ -	\$ 337,500	Change quantity from 15 to 11
VMT07-213T	Valley Metro	11.13.01	Purchase bus: standard - 13 expand (Main St)	2007		5307	\$ -	\$ 4,857,766	\$ 994,964	\$ 5,852,730	Decrease from 15 to 13 buses and revise unit cost
VMT07-618T	Valley Metro	11.13.01	Advance purchase bus: standard - 29 expand (Dobson, Southern)	2007		PTF	\$ -	\$ -	\$ 13,056,090	\$ 13,056,090	Change from articulated to standard buses and quantity from 13 to 29
VMT07-619T	Valley Metro	11.13.01	Purchase bus: standard - 19 expand (East/West/North Loop 101)	2007		5307	\$ -	\$ 6,267,944	\$ 1,283,796	\$ 7,551,740	Revise unit cost
VMT07-621T	Valley Metro	11.12.01	Purchase bus: standard - 3 replace	2007		5307	\$ -	\$ 1,089,998	\$ 223,253	\$ 1,313,250	Correct unit quantity and cost calculation entry
VMT07-622T	Valley Metro	11.13.06	Purchase bus: standard - 5 expand Articulated (Red Mountain)	2007		5309	\$ -	\$ 2,505,539	\$ 513,183	\$ 3,018,022	Increase from 4 to 5 buses, revise unit cost, and change fund to 5309

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
Table E											
ALCP - Amendments & Administrative Modifications (These do not apply to the TIP)											
PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
ACI-HWS-10-03-C	Mesa	Hawes: Elliot to Santan	Construct roadway widening	2024	2	RARF	\$ 1,034,000		\$ 2,412,000	\$ 3,446,000	Administrative error, change reimbursement date from 2021 to 2024 to match when construction will be complete.
MES125-10C	Mesa	Greenfield Rd: Southern Ave to University Dr	Construct roadway widening	2015	2	RARF	\$ 11,941,000		\$ 3,059,000	\$ 15,000,000	Change year from 2013 to 2015
PEO100-05ADX	Peoria	Beardsley Rd Connection: Loop 101 (Agua Fria Fwy) to Beardsley Rd at 83rd Ave/Lake Pleasant Pkwy	Reimbursement of advance design for new frontage road and bridges completed in 2007	2011	2	RARF	\$ (1,616,000)		\$ 1,616,000	\$ -	Change amounts in ALCP - Calculation error
PEO100-06ARWX1	Peoria	Beardsley Rd Connection: Loop 101 (Agua Fria Fwy) to Beardsley Rd at 83rd Ave/Lake Pleasant Pkwy	Reimbursement 1 of 2 of advance right of way acquisition for new frontage road and bridges completed in 2008	2011	2	RARF	\$ (2,832,000)		\$ 2,832,000	\$ -	Change amounts in ALCP - Calculation error
PEO100-07ACX1	Peoria	Beardsley Rd Connection: Loop 101 (Agua Fria Fwy) to Beardsley Rd at 83rd Ave/Lake Pleasant Pkwy	Reimbursement 1 of 2 of advance construction for new frontage road and bridges completed in 2009	2011	2	RARF	\$ (7,397,000)		\$ 7,397,000	\$ -	Change amounts in ALCP - Calculation error
PEO100-07ACX2	Peoria	Beardsley Rd Connection: Loop 101 (Agua Fria Fwy) to Beardsley Rd at 83rd Ave/Lake Pleasant Pkwy	Reimbursement 2 of 2 of advance construction for new frontage road and bridges completed in 2009	2012	2	RARF	\$ (7,397,000)		\$ 7,397,000	\$ -	Change amounts in ALCP - Calculation error
PEO100-07ARWX2	Peoria	Beardsley Rd Connection: Loop 101 (Agua Fria Fwy) to Beardsley Rd at 83rd Ave/Lake Pleasant Pkwy	Reimbursement 2 of 2 of advance right of way acquisition for new frontage road and bridges completed in 2008	2012	2	RARF	\$ (2,832,000)		\$ 2,832,000	\$ -	Change amounts in ALCP - Calculation error

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

Amendment to the FY 2008 MAG Unified Planning Work Program and Annual Budget to Include a Regional Transit Framework Study

SUMMARY:

MAG is responsible for system level transit planning activities that have the potential of impacting the Regional Transportation Plan (RTP). In cooperation with Valley Metro/RPTA and Valley Metro Rail, MAG has drafted a scope of work and Request for Proposals for developing a Regional Transit Framework Study. The study will provide a technical framework for evaluating future transit investments beyond those contained in the RTP. The overall goal of the study is to prepare a Regional Transit Framework Study in cooperation with RPTA and METRO. It is anticipated that the results of this study would be incorporated into the MAG RTP for approval by the MAG Regional Council. This project will require an amendment to the MAG Unified Planning Work Program and Annual Budget. MAG federal funds would be used for this effort. A meeting to review the draft scope of work was held on September 24, 2007. Notification of the meeting was distributed to the Management Committee, Transportation Review Committee, and MAG Intergovernmental Liaisons. Twenty-six people attended the meeting and provided input on the draft scope of work.

PUBLIC INPUT:

None.

PROS & CONS:

PROS: This process will establish a regional framework for developing and implementing future transit services and programs.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The study is being undertaken to establish a technical framework for guiding transit investments and decisions. The resulting study document will provide a mechanism for coordinating on-going transit studies among MAG, Valley Metro/RPTA, Valley Metro Rail, and MAG member agencies.

POLICY: The Regional Transit Framework Study will provide decision-makers with a comprehensive perspective on the costs, schedules, trade-offs, impacts, and policy implications of future transit investment options. The study will also identify potential amendments to the Regional Transportation Plan.

ACTION NEEDED:

Recommend approval of an amendment to the FY 2008 MAG Unified Planning Work Program and Annual Budget to conduct the Regional Transit Framework Study in the amount of \$980,000.

PRIOR COMMITTEE ACTIONS:

None.

CONTACT PERSON:

Kevin Wallace, MAG, (602) 254-6300.

DRAFT

REGIONAL TRANSIT FRAMEWORK STUDY

SCOPE OF WORK

SEPTEMBER 25, 2007

Introduction

The Maricopa Association of Governments (MAG) is requesting proposals from qualified consultants for a Regional Transit Framework Study that will establish priorities for future transit investments. Specific expertise is sought in the areas of regional transit planning, consensus building, public participation, and travel demand modeling. This project will be managed by the Maricopa Association of Governments (MAG). The Regional Public Transportation Authority (Valley Metro/RPTA) and Valley Metro Rail (METRO) will be key players in managing the technical work effort. The project will be completed at a cost not to exceed \$980,000.

A draft study will be completed by December 19, 2007. The Valley Metro/RPTA Board of Directors and the METRO Board of Directors will review and comment on the study before it is submitted to the MAG Regional Council for approval.

Background

Project Partners

The Maricopa Association of Governments is the designated Metropolitan MPO for transportation planning for the metropolitan Phoenix area. MAG is also the designated Air Quality Planning Agency for the region. The MAG membership consists of the 25 incorporated cities and towns within Maricopa County and the contiguous urbanized area, the Gila River Indian Community, the Salt River Pima-Maricopa Indian Community, Fort McDowell Yavapai Nation, Maricopa County, the Arizona Department of Transportation (ADOT), and the Citizens Transportation Oversight Committee (CTOC). ADOT and CTOC serve as ex-officio members for transportation-related issues.

Valley Metro/RPTA provides transportation solutions that make the Valley a better place to live, work, play and visit. In 1993, the RPTA Board adopted the name Valley Metro as the identity for the regional transit system in the Phoenix metropolitan area. Under the Valley Metro brand, local governments joined to fund the Valley-wide transit system that the public sees on the streets today. Valley Metro Board member agencies include Avondale, Chandler, El Mirage, Gilbert, Glendale, Goodyear, Maricopa County, Mesa, Peoria, Phoenix, Queen Creek, Regional Public Transportation Authority (Valley Metro RPTA), Scottsdale, Surprise and Tempe.

METRO is the brand name for Valley Metro Rail Inc., a nonprofit, public corporation charged with the planning, design, construction and operation of the initial 20-mile light rail starter segment, as well as future extensions. METRO member cities are Phoenix, Tempe, Mesa, Glendale, Chandler, and Peoria. These cities comprise the METRO Board of Directors. The METRO Board establishes policies, receives and disburses funds and grants, has the power to enter into contracts, to hire or contract for staff, and to undertake extensions to the system.

Regional Transit Funding

On November 2, 2004, the voters of Maricopa County passed Proposition 400, which authorized the continuation of the existing half-cent sales tax for transportation in the region (also known as the

Maricopa County Transportation Excise Tax). This action provided a 20-year extension of the half-cent sales tax through calendar year 2025 to implement projects and programs identified in the MAG Regional Transportation Plan (RTP). Over the twenty year funding period, approximately \$4.7 billion of the revenues collected from the half-cent sales tax will be deposited into the Public Transportation Fund (PTF) for public transit programs and projects. A schedule of projected expenditures is provided in the RTP, which is available online at: <http://www.mag.maricopa.gov/project.cms?item=411>.

While there will be considerable regional and local investments in transit over the next twenty years, additional transit funding will be needed to keep pace with anticipated growth. The Regional Transit Framework Study will address this concern on two levels: 1) by identifying priority transit investments that will be needed between now and 2025 to supplement Proposition 400 funding; and 2) by extending the transit planning horizon to 2030 to identify longer term transit investment needs.

Project Objectives

The study is being undertaken to establish a technical framework for guiding transit investments and decisions. The overall goal of the study is to prepare a Regional Transit Framework Study in cooperation with RPTA and METRO. It is anticipated that the results of this study would be incorporated into the MAG Regional Transportation Plan for approval by the MAG Regional Council. Key project objectives are to:

1. Conduct a comprehensive evaluation of existing and future transit needs in the MAG region.
2. Develop a transit plan that provides for the seamless integration of commuter rail, light rail, streetcar, bus rapid transit/express bus, regional bus routes, local bus routes, connections to inter-city rail and airports, park-and ride facilities, and transit support facilities.
3. Identify opportunities to integrate transit investments with parallel street and freeway investments including shared right-of-way for multi-modal transportation corridors.
4. Based on an analysis of current and future travel demand, establish appropriate transit service thresholds for subareas within the MAG region. For underserved subareas and corridors, define transit capacity, operational characteristics, and associated capital infrastructure needs.
5. Utilize performance based measures to recommend priority transit investments.
6. Prepare and implement a proactive outreach program that engages citizens and elected officials in the planning process.
7. Prepare a Regional Transit Framework Study summary and presentation suitable for wide distribution to a general audience.

Proposed Tasks

The consultant is encouraged to be creative in developing a sound analytical approach which achieves the objectives for this project. The consultant is urged to be as specific as possible when describing the activities and anticipated outcomes for each of the tasks outlined below. However, the consultant will not be required to adhere strictly to the proposed tasks specified below, and may propose additional tasks to meet the objectives of this study. The consultant is urged to make maximum use of matrices, tables and drawings in working papers produced for the project to ensure conciseness and clarity and to minimize the amount of text required.

The proposed tasks outlined below are intended to help answer the following questions:

1. What are the current and future travel patterns within the region? What is the forecasted demand for travel by transit? How can this information be applied to develop an integrated, seamless transit system?

2. What is the utilization of the existing transit system? (e.g., identification of routes that are over capacity and those that are underutilized).
3. Will the transit system contained in the Regional Transportation Plan (RTP) meet anticipated travel needs in the future, or will additional service be warranted? Should RTP service be accelerated to meet anticipated travel demand?
4. What is the best methodology for identifying appropriate transit service levels for various subareas in the MAG region? What would be needed to reach consensus among MAG member agencies on these service levels?
5. What additional transit service will be needed five years beyond the sunset of Proposition 400 funds (2030)?
6. How can the Regional Transit Framework Study coordinate existing and ongoing transit studies into a comprehensive, integrated transit system with maximum efficiency and effectiveness (e.g., How and where would a potential commuter rail line connect to a light rail system, or should bus rapid transit service end at a termini of a light rail line or continue on a parallel route)?
7. How can this process identify and represent the needs of both existing and future transit customers?
8. What types of transit supportive policies (e.g., transit oriented development, parking, mode split targets, congestion pricing, etc.) will be needed to increase transit ridership?

Task 1 **Detailed Scope of Work**

The consultant's first task will be to prepare a detailed Scope of Work that identifies the specific tasks and deliverables. In addition, throughout the course of this project, inquiry and discussion may result in some revisions to the Scope of Work and Project Schedule. As necessary, the consultant will refine the Scope of Work for this project based upon professional experience and input from MAG, RPTA, and METRO. This work will be performed under the general direction of the MAG project manager. The consultant will prepare documentation of any such revision, including a revised labor/dollar allocation and project task cost breakdown, and submit the revision to MAG for approval.

Specific tasks for developing the detailed Scope of Work will include the following:

- A. Review and incorporate findings of previous plans and studies.
- B. Assess and refine the goal and objectives of the Regional Transit Framework Study and identify work tasks necessary to achieve them.
- C. Prepare a detailed explanation of work tasks and workflow relationships, a staff resource plan, a schedule for the study process, and project deliverables.

Task 2 **Planning Process Coordination and Monitoring**

- A. Coordinate and collaborate with other ongoing studies at MAG, RPTA, METRO, ADOT, and MAG member agencies. Compile necessary data and provide a summary of current and recently completed transportation studies, including transportation framework studies, commuter rail studies, alternatives analyses, light rail configuration studies, sub-regional studies, bus rapid transit studies, and bus capital/operating studies.
- B. Identify and document issues, procedures, methodologies, and findings that require resolution and/or joint application among ongoing studies.

- C. Establish a Project Management Team (PMT), composed of staff from MAG, RPTA, and METRO. The PMT will meet regularly to provide input and review work products.
- D. Prepare a project management plan that includes appropriate quality assurance measures.

Task 3 Public and Agency Involvement

A number of fundamental policy questions will be raised in developing the Regional Transit Framework Study. For example, what role should transit play in meeting regional transportation needs? What are the most critical transit investments? To answer these types of questions, and to ensure support for the final study, a comprehensive public involvement plan is needed. General tasks to accomplish the public and agency Involvement task are outlined below.

- A. Prepare and implement a proactive public involvement program, taking into account ongoing public involvement in related planning studies and other activities. The program should clearly define the opinions and needs of a wide variety of interests, including MAG member agencies, existing transit customers, potential transit markets, employers, and the business community.
- B. Prepare and distribute appropriate public information collateral for the project. Examples include newsletters, presentation materials, briefings, meeting summaries, and a project web page.
- C. Develop and execute appropriate opportunities for obtaining input and presenting study findings. Examples include stakeholder interviews, meetings, and workshops; surveys and public opinion polls; public meetings; focus groups; and agency forums.
- D. Establish a Study Review Team (SRT), composed of staff from the Project Management Team and MAG member agencies. The SRT will meet regularly to provide input and discuss technical work products.
- E. Provide briefings and presentations at MAG, RPTA, and METRO committee meetings and other agency meetings.

Task 4 Transit Travel Demand

The MAG model (TransCAD) will be used to identify travel demand patterns and to analyze the impacts of potential transit service improvements. MAG staff will run the regional model based on input from the consultant. Specific elements of this task include the following:

- A. Define the travel demand, transit mode split, and overall travel patterns.
- B. Define market segments relevant to each transit mode. MAG staff will assist the consultant in applying the market segmentation results.
- C. Divide the MAG region into logical subareas for evaluating base year, 2020, and 2030 travel demand patterns. Identify subareas and corridors that are underserved by transit for each time period. Evaluate various options to address transit capacity and coverage improvement needs, as defined in Task 5.

Task 5 Evaluation of Needs and Opportunities

There will be significant local and regional investments in the transit system over the next twenty years. Because of rapid urban growth, particularly in the fringe areas of the

metropolitan area, it is likely that additional transit service will be needed. The consultant will evaluate base year travel demand, as well as travel demand for 2020 and 2030, and will recommend appropriate service improvements. The consultant will also identify future transit improvements that should be considered beyond the 2030 planning horizon.

To accomplish these tasks, the consultant will develop a set of transit performance indicators to facilitate the evaluation of existing and future transit service options.

- A. Utilizing existing information from Valley Metro/RPTA and METRO, define a set of transit performance indicators and service standards. Once defined, the performance indicators will be used as a management tool for assessing performance and relating the quality and quantity of transit service at the corridor and subarea levels.
- B. Evaluate transit improvement alternatives in relation to transit, highway, and street improvements contained in the Regional Transportation Plan and various transit studies and transportation framework studies. Transit modes for consideration include commuter rail, light rail, streetcar, bus rapid transit/express bus, limited stop bus, local bus, transportation demand management, and others, as appropriate. Include considerations for associated paratransit services with new transit routes.
- C. Evaluate the connection of modes to ensure transportation investments are not duplicated and the services will serve the demand from a roadway and transit perspective. This effort will include, but is not limited to the need for park-and-rides, intermodal facilities, and other transit support facilities.
- D. Review existing transit services and identify capacity deficiencies in existing corridors/routes. Identify when and where capacity is exceeded. Evaluate the need for additional service.
- E. Review planned transit improvements included in the RTP and identify additional transit service needs. Identify capacity and coverage improvements needed to address deficiencies.
- F. Evaluate transit demand beyond the Regional Transportation Plan, with a horizon year of 2030. Address the need for additional high capacity corridors and transit routes. Assess all potential transit modes to meet anticipated demand. In addition, provide a conceptual review of transit needs beyond 2030, including appropriate linkages to build-out scenarios developed by MAG for on-going regional transportation framework studies.
- G. Concurrently with the analysis of transit travel demand, evaluate appropriate transit supportive policies to encourage additional transit ridership. Areas for exploration should include transit oriented development, parking, mode split targets, improved fixed route service to provide travel options for seniors and people with disabilities, etc.

Task 6

Cost Analysis

- A. For each transit investment scenario, identify annualized costs through 2030 for capital, operating and maintenance, and modernization and upgrades.
- B. Assess cost-effectiveness of new and expanded transit services.

Task 7

Regional Transit Framework Study

- A. Identify new corridors, transit modes, routes, and supporting facilities that address demand.

- B. Identify existing/planned corridors that require service improvements.
- C. Integrate transit modes for maximum efficiency and effectiveness. Identify the most appropriate mode of service for individual corridors and the connections of that service to other modes of transportation to ensure that trips are linked in a convenient yet cost effective manner. Recognize that high capacity corridors are preliminary and subject to a subsequent Alternatives Analysis which will select the appropriate transit technology (e.g., light rail versus bus rapid transit).
- D. Develop three scenarios that provide low, medium, and high transit investment options. For each scenario, develop a priority list and implementation schedule with annualized costs.
- E. Provide decision-makers with a comprehensive perspective on the costs, schedules, trade-offs, impacts, and policy implications of alternative implementation approaches.
- F. Prepare a document to be considered by the MAG Regional Council, RPTA Board of Directors, and METRO Board of Directors, including assembling any supplementary planning studies or technical documents.
- G. Prepare a summary document and presentation directed at a general audience and focusing on the essential features of the Regional Transit Framework Study.

Task 8 **Study Record**

- A. Assemble all final products from the study tasks into a complete study record.

Deliverable Products

The products of this project are listed below. Each working paper should present information in a succinct manner with extensive use of tables, matrices and drawings. The working papers ultimately will be consolidated into a final report. An administrative draft of each working paper will be submitted in both electronic and hard copy format to the MAG project manager for review. Comments from the PMT will be incorporated into the working paper by the consultant, before it is distributed for external review. Comments received during the external review process will be incorporated into the working paper by the consultant, which will then become a chapter in the draft final report.

- Task 1** Updated study objectives; detailed scope of work.
- Task 2** Summary of data collection efforts; Project Management Team process and meeting notes; Project Management Plan.
- Task 3** Public Involvement Plan; Study Review Team process and meeting notes; public information collateral as defined in the detailed scope of work (Task 1); stakeholder workshops and meetings; public meetings; agency forums; participation at MAG, RPTA, and METRO committee meetings; outreach meetings; summary of public and agency involvement activities and collateral.
- Task 4** Identification of transit market segments; Working Paper #1 - Analysis of Transit Travel Demand.
- Task 5** Working Paper #2 - Transit Performance Indicators and Service Standards; Working Paper #3 – Existing Transit Services and Deficiencies; Working Paper #4 - Analysis of Planned Improvements, Future Deficiencies, and Additional Service Options.
- Task 6** Working Paper 5 - Cost Analysis for Transit Capital, Operating, Maintenance, and Modernization.

Task 7 Regional Transit Framework Study (draft and final documents); Plan Summary and Presentation; CD containing the Regional Transit Framework Study and Summary with an easy to navigate table of contents page that provides direct links to key sections of project documents.

Task 8 Study Record.

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

New Finding of Conformity for the Regional Transportation Plan 2007 Update and FY 2008-2012 MAG Transportation Improvement Program, as Amended

SUMMARY:

On July 25, 2007, the MAG Regional Council approved a proposed amendment to the Regional Transportation Plan to delete the SR 153 corridor and add a project to improve the existing SR 143 and SR 202 Loop traffic interchange, and to amend the Regional Transportation Plan and the FY 2008-2012 MAG Transportation Improvement Program subject to an air quality conformity analysis. MAG has conducted a regional emissions analysis for the proposed amendment.

The results of the regional emissions analysis for the proposed amendment, when considered together with the RTP and TIP as a whole, indicate that the transportation improvements will not contribute to violations of federal air quality standards. Any comments on the amendment and finding of conformity are requested by October 22, 2007 following a 30-day public review period. The conformity assessment including the results of the regional emissions analysis, and project descriptions from the proposed amendment, are provided in the attached interagency consultation memorandum.

PUBLIC INPUT:

On September 20, 2007, a 30-day public review period began on the conformity assessment which includes the results of the regional emissions analysis and proposed amendment.

PROS & CONS:

PROS: Approval of the conformity finding is required prior to approval of an amendment to the Regional Transportation Plan or TIP by a metropolitan planning organization. The purpose of conformity is to ensure that transportation actions will not cause or contribute to violations of federal air quality standards.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: Implementation of the Regional Transportation Plan and TIP will not cause or contribute to new violations of ambient air quality standards, increase the frequency or severity of any existing violations, or delay timely attainment of any standard or required emission reduction.

POLICY: The amendment to the Regional Transportation Plan and TIP can not be adopted until the conformity finding is approved. The conformity assessment is being prepared in accordance with federal and state regulations. In addition, federal guidance is followed in response to court rulings regarding transportation conformity.

ACTION NEEDED:

Approve the new Finding of Conformity for the Regional Transportation Plan 2007 Update and the FY 2008-2012 MAG Transportation Improvement Program, as amended.

PRIOR COMMITTEE ACTIONS:

Regional Council: On July 25, 2007, the MAG Regional Council approved the proposed amendment to the Regional Transportation Plan to delete SR 153 and use the available funding for improvements to SR 143 and that the Regional Transportation Plan and the FY 2008-2012 MAG Transportation Improvement Program be amended subject to the necessary air quality conformity analysis.

MEMBERS ATTENDING

- Mayor James M. Cavanaugh, Goodyear,
Chair
- Councilmember Wayne Ecton for Mayor Mary
Manross, Scottsdale, Vice Chair
- * Councilmember Robin Barker, Apache
Junction
- Mayor Marie Lopez Rogers, Avondale
- Mayor Bobby Bryant, Buckeye
- * Mayor Wayne Fulcher, Carefree
- Councilmember Dick Esser, Cave Creek
- # Mayor Boyd Dunn, Chandler
- Mayor Fred Waterman, El Mirage
- * President Raphael Bear, Fort McDowell
Yavapai Nation
- Mayor Wally Nichols, Fountain Hills
- * Mayor Fred Hull, Gila Bend
- * Governor William Rhodes, Gila River Indian
Community
- Mayor Steven Berman, Gilbert
- * Mayor Elaine Scruggs, Glendale
- * Mayor Bernadette Jimenez, Guadalupe
- Mayor Thomas Schoaf, Litchfield Park
- Supervisor Don Stapley, Maricopa County
- Mayor Keno Hawker, Mesa
- * Mayor Ed Winkler, Paradise Valley
- Mayor Bob Barrett, Peoria
- Councilmember Peggy Neely, Phoenix
- Mayor Art Sanders, Queen Creek
- * President Joni Ramos, Salt River
Pima-Maricopa Indian Community
- Mayor Joan Shafer, Surprise
- * Mayor Hugh Hallman, Tempe
- * Mayor Adolfo Gamez, Tolleson
- # Mayor Ron Badowski, Wickenburg
- Mayor Michael LeVault, Youngtown
- * Joe Lane, State Transportation Board
- Felipe Zubia, State Transportation Board
- # F. Rockne Arnett, Citizens Transportation
Oversight Committee

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

Transportation Policy Committee: On July 18, 2007, the MAG Transportation Policy Committee recommended approval of the proposed amendment to the Regional Transportation Plan to delete SR 153 and use the available funding for improvements to SR 143 and that the Regional Transportation Plan and the FY 2008-2012 MAG Transportation Improvement Program be amended subject to the necessary air quality conformity analysis.

MEMBERS ATTENDING

- # Councilmember Peggy Bilsten, Phoenix, Chair
- * Mayor Keno Hawker, Mesa, Vice Chair
- # Councilmember Ron Aames, Peoria
- # Kent Andrews, Salt River Pima-Maricopa
Indian Community
- # F. Rockne Arnett, Citizens Transportation
Oversight Committee
- # Councilmember Gail Barney, Queen Creek
- # Stephen Beard, SR Beard & Associates
- # Mayor Steven Berman, Gilbert
- * Dave Berry, Swift Transportation
- # Jed S. Billings, FNF Construction
- # Mayor Bobby Bryant, Buckeye
- # Mayor James Cavanaugh, Goodyear
- # Mayor Boyd Dunn, Chandler
- # Mayor Hugh Hallman, Tempe

- * Eneas Kane, DMB Associates
- * Mark Killian, The Killian Companies/
Sunny Mesa, Inc.
- # Joe Lane, State Transportation Board
- # Mayor Marie Lopez Rogers, Avondale

- * Mayor Mary Manross, Scottsdale
David Scholl, Westcor
- * Mayor Elaine Scruggs, Glendale
- # Supervisor Max W. Wilson, Maricopa County

- * Not present
- # Participated by telephone conference call
- + Participated by videoconference call

Management Committee: On July 11, 2007, the MAG Management Committee recommended approval of the proposed amendment to the Regional Transportation Plan to delete SR 153 and use the available funding for improvements to SR 143 and that the Regional Transportation Plan and the FY 2008-2012 MAG Transportation Improvement Program be amended subject to the necessary air quality conformity analysis.

MEMBERS ATTENDING

- # Bridget Schwartz-Manock for Jan Dolan,
Scottsdale, Chair
David Fitzhugh for Charlie McClendon,
Avondale, Vice Chair
- # Bryant Powell for George Hoffman, Apache
Junction
- * Dave Wilcox, Buckeye
- * Jon Pearson, Carefree
- * Usama Abujbarah, Cave Creek
Mark Pentz, Chandler
Pat Dennis for B.J. Cornwall, El Mirage
Alfonso Rodriguez for Orlando Moreno,
Fort McDowell Yavapai Nation
Tim Pickering, Fountain Hills
- * Lynn Farmer, Gila Bend
- * Joseph Manuel, Gila River Indian
Community
George Pettit, Gilbert
Ed Beasley, Glendale

- Brian Dalke, Goodyear
- * Mark Johnson, Guadalupe
Darryl Crossman, Litchfield Park
Scott Butler for Christopher Brady, Mesa
Tom Martinsen, Paradise Valley
Terry Ellis, Peoria
Frank Fairbanks, Phoenix
John Kross, Queen Creek
- * Bryan Meyers, Salt River Pima-Maricopa
Indian Community
Kathy Rice for Jim Rumpeltes, Surprise
Jeff Kulaga for Will Manley, Tempe
- * Reyes Medrano, Tolleson
- * Steve McKay, Wickenburg
Lloyce Robinson, Youngtown
Bill Hayden for Victor Mendez, ADOT
Mike Sabatini for David Smith,
Maricopa County
David Boggs, Valley Metro/RPTA

- * Those members neither present nor represented by proxy.
- # Participated by telephone conference call.
- + Participated by videoconference call.

CONTACT PERSON:

Dean Giles, MAG, (602) 254-6300.



**MARICOPA
ASSOCIATION of
GOVERNMENTS**

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September 20, 2007

TO: Leslie Rogers, Federal Transit Administration
Robert Hollis, Federal Highway Administration
Victor Mendez, Arizona Department of Transportation
Stephen Owens, Arizona Department of Environmental Quality
David Boggs, Regional Public Transportation Authority/ Valley Metro
Debbie Cotton, City of Phoenix Public Transit Department
Robert Kard, Maricopa County Air Quality Department
Maxine Leather, Central Arizona Association of Governments
Donald Gabrielson, Pinal County Air Quality Control District
Wienke Tax, U.S. Environmental Protection Agency, Region IX
Other Interested Parties

FROM: Dean Giles, Air Quality Planning Program Specialist

SUBJECT: CONSULTATION ON CONFORMITY ASSESSMENT FOR A PROPOSED
AMENDMENT TO THE REGIONAL TRANSPORTATION PLAN 2007 UPDATE
AND FY 2008-2012 MAG TRANSPORTATION IMPROVEMENT PROGRAM

The proposed amendment to the Regional Transportation Plan 2007 Update and the FY 2008-2012 MAG Transportation Improvement Program (TIP) includes a request from the Arizona Department of Transportation for the deletion of the State Route 153 corridor and the addition of a project to improve the existing State Route 143 and State Route 202 Loop traffic interchange. The proposed amendment requires a new conformity determination on the Regional Transportation Plan and TIP. These project modifications impact the modeling assumptions used in the most recent conformity analysis and a new regional emissions analysis was conducted.

The results of the regional emissions analysis for the proposed amendment, when considered together with the Regional Transportation Plan 2007 Update and TIP as a whole, meet the transportation conformity requirements for carbon monoxide, ozone, and particulate matter PM-10 (see attachment). The proposed amendment and the corresponding regional emissions analysis are being provided for review and comment through the MAG Conformity Consultation Process. The amendment, as well as the corresponding consultation, will be on the agenda for the October 3, 2007 MAG Management Committee meeting and the October 24, 2007 MAG Regional Council meeting. Comments on this consultation item are requested by October 22, 2007.

If you have any questions or comments, please contact me at (602) 254-6300.

Attachment

cc: Nancy Wrona, Arizona Department of Environmental Quality

ATTACHMENT

CONSULTATION ON CONFORMITY ASSESSMENT FOR A PROPOSED AMENDMENT TO THE REGIONAL TRANSPORTATION PLAN 2007 UPDATE AND FY 2008-2012 MAG TRANSPORTATION IMPROVEMENT PROGRAM

MAG has conducted a regional emissions analysis to assess the impacts of the deletion of the State Route 153 corridor and the addition of a project to improve the existing State Route 143 and State Route 202 Loop traffic interchange on the Regional Transportation Plan 2007 Update and the FY 2008-2012 MAG Transportation Improvement Program (TIP). The results of the regional emissions analysis indicate that the inclusion of the amendment to the Regional Transportation Plan and TIP meet the applicable transportation conformity criteria. The amendment is not expected to interfere with Transportation Control Measure implementation.

REGIONAL EMISSIONS ANALYSIS

The MAG transportation and air quality models were utilized in the regional emissions analysis to assess the effect of the estimated emissions from the proposed amendment, when considered together with the emissions from the Regional Transportation Plan 2007 Update and FY 2008-2012 MAG TIP as a whole. In the following table, the modeling results indicate that for each pollutant and for modeled years the regional emissions from the proposed amendment considered together with the Regional Transportation Plan 2007 Update and TIP are less than the motor vehicle emissions budgets for carbon monoxide, ozone, and particulate matter (PM-10).

For the analysis, the transportation network “Build” scenarios for 2009, 2015, 2019, and 2028 were revised to reflect the modifications for the amendment and to make minor technical corrections. For carbon monoxide, the total regional vehicle-related emissions for the analysis year 2009 is projected to be less than the emissions budget of 699.7 metric tons per day, and the emissions for the analysis years 2015, 2019, and 2028 are projected to be less than the emissions budget of 662.9 metric tons per day. The applicable conformity test for carbon monoxide is therefore satisfied.

For eight-hour ozone, the applicable emissions tests are the adjusted one-hour ozone budget test and a no-greater-than-2002 baseline test. The total vehicle-related volatile organic compound (VOC) and nitrogen oxide (NOx) emissions for 2009 are projected to be less than the adjusted 2006 emissions budgets for the one-hour ozone maintenance area. The VOC and NOx emissions for the analysis years 2019 and 2028 are projected to be less than the adjusted 2015 emissions budgets for the one-hour ozone maintenance area. In addition, the vehicle-related VOC and NOx emissions for the analysis years are projected to be less than the 2002 baseline emissions for the eight-hour ozone nonattainment area. The applicable conformity tests for eight-hour ozone are therefore satisfied.

For PM-10, the total vehicle-related emissions for the analysis years of 2009, 2019, and 2028 are projected to be less than the 2006 emissions budget of 59.7 metric tons per day. The conformity test for PM-10 is therefore satisfied.

The current conformity finding of the Regional Transportation Plan 2007 Update and TIP was made by the Federal Highway Administration and Federal Transit Administration on August 16, 2007. The regional emissions analysis for the proposed amendment to the Regional Transportation Plan and TIP demonstrates that the criteria specified in the federal transportation conformity rule for a conformity determination are satisfied. A finding of conformity is therefore supported.

CONFORMITY TEST RESULTS FOR CO, VOC, NOx, AND PM-10 (METRIC TONS/DAY)

Pollutant	Carbon a Monoxide		Eight-Hour Ozone b						PM-10 c		
	2006	2015	2002 Baseline VOC	2002 Baseline NOx	2006 ^e VOC	2006 ^e NOx	2015 ^e VOC	2015 ^e NOx	Onroad Mobile	Road Con- struction	2006 Total PM-10
Year - Scenario											
Budget or Test	699.7	662.9	94.8	158.1	71.8	104.7	48.7	53.6	N/A	N/A	59.7
2009											
— Action	529.0		66.0	105.9	62.0	95.3			48.4	0.3	48.7
2015											
— Action		488.0									
2019											
— Action		485.2	47.5	45.3			42.9	40.3	51.4	0.3	51.7
2028											
— Action		506.3	43.1	35.9			37.2	30.7	55.3	0.3	55.6

a The Carbon Monoxide Maintenance Plan established a 2006 budget and a 2015 budget. The onroad mobile source emissions correspond to a Friday in December episode day conditions.

b The Eight-Hour Ozone conformity tests consist of 2002 baseline emissions for the eight-hour ozone nonattainment area and adjusted one-hour ozone emission budgets for 2006 and 2015. The onroad mobile source emissions correspond to a Tuesday in August episode day conditions.

c The Revised MAG 1999 Serious Area Particulate Plan for PM-10 established a 2006 emissions budget corresponding to an average annual day.

d No-greater-than-2002 baseline emissions test for the eight-hour ozone nonattainment area.

e Eight-hour ozone interim emissions budget tests for the one-hour ozone maintenance area, excluding the Gila River Indian Community. The 2006 and 2015 conformity budgets were established in the One-hour Ozone Maintenance Plan.

Amendment to the FY 2008-2012 MAG Transportation Improvement Program

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
DOT06-221	ADOT	SH153 08 RC -- 153 Sky Harbor Expwy: Superior Ave to University Dr	Construct new 6 lane freeway	2009	1.30	RARF	\$ -	\$ -	\$ 16,000,000	\$ 16,000,000	Delete Project
DOT06-322	ADOT	SH153 08 LD -- 153 Sky Harbor Expwy: Superior Ave to University Dr	Design landscape	2009	1.30	RARF	\$ -	\$ -	\$ 60,000	\$ 60,000	Delete Project
DOT07-344	ADOT	SH153 08 LC -- 153 Sky Harbor Expwy: Superior Ave to University Dr	Construct landscape	2010	1.30	RARF	\$ -	\$ -	\$ 610,000	\$ 610,000	Delete Project
DOT08-838	ADOT	143 Hohokam, SR 143/SR202L TI	TI Improvements, adding ramps	2009	0.10	RARF	\$ -	\$ -	\$ 34,400,000	\$ 34,400,000	Add New Replacement Project

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

Prioritized List of Proposed PM-10 Certified Street Sweeper Projects for FY 2008 CMAQ Funding

SUMMARY:

The FY 2008 MAG Unified Planning Work Program and Annual Budget and the FY 2008-2012 MAG Transportation Improvement Program contain \$1,110,000 in FY 2008 Congestion Mitigation and Air Quality (CMAQ) funding to encourage the purchase and utilization of PM-10 certified street sweepers. The purpose of the CMAQ program is to fund projects and programs in nonattainment and maintenance areas that assist in achieving air quality standards.

In August 2007, MAG solicited PM-10 certified street sweeper projects from member agencies in the Maricopa County PM-10 Nonattainment Area. Eighteen projects requesting approximately \$3.07 million in federal funds were received. MAG staff evaluated the sweeper proposals for estimated emission reductions in accordance with CMAQ guidance. On September 25, 2007, the MAG Air Quality Technical Advisory Committee recommended a prioritized list of proposed PM-10 certified street sweeper projects submitted for FY 2008 CMAQ funding.

PUBLIC INPUT:

An opportunity for public comment was provided at the MAG Air Quality Technical Advisory Committee meeting. No public comments were received.

PROS & CONS:

PROS: The purchase of PM-10 Certified Street Sweepers is supported by Measure #29 in the Suggested List of Measures to Reduce PM-10 Particulate Matter. This measure encourages the purchase and utilization of PM-10 certified street sweepers for reducing particulate emissions from paved roads in the Maricopa County PM-10 Nonattainment Area.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: A key measure in the MAG Five Percent Plan for PM-10 is PM-10 certified street sweepers.

POLICY: Using CMAQ funding for the member agency purchase of PM-10 certified street sweepers will assist in the reduction of PM-10 emissions in the Maricopa County PM-10 Nonattainment Area.

ACTION NEEDED:

Recommend approval of a prioritized list of proposed PM-10 Certified Street Sweeper Projects for FY 2008 CMAQ funding and retain the prioritized list for any additional FY 2008 CMAQ funds that may become available due to year-end closeout, including any redistributed obligation authority, or additional funding received by this region.

PRIOR COMMITTEE ACTIONS:

Air Quality Technical Advisory Committee: On September 25, 2007, the Air Quality Technical Advisory Committee recommended a prioritized list of proposed PM-10 Certified Street Sweeper Projects for FY 2008 CMAQ funding and to retain the prioritized list for any additional FY 2008 CMAQ funds that may become available due to year-end closeout, including any redistributed obligation authority, or additional funding received by this region, with eight members voting no (*italics*).

MEMBERS PRESENT

- John Kross, Town of Queen Creek, Chairman
- # Jess Segovia, Avondale
- * Lucky Roberts, Buckeye
- John Sherrill for Jim Weiss, Chandler
- Jamie McCullough, El Mirage*
- Stephanie Prybyl for Tami Ryall, Gilbert
- Doug Kukino, Glendale
- Scott Bouchie, Mesa
- Joe Gibbs for Gaye Knight, Phoenix
- # Larry Person, Scottsdale
- Antonio DeLaCruz, Surprise
- Oddvar Tveit, Tempe
- * Jesse Mendez, Youngtown
- * Walter Bouchard, Citizen Representative
- # Corey Woods, American Lung Association of Arizona
- Wendy Crites for Barbara Sprungl, Salt River Project
- Brian O'Donnell, Southwest Gas Corporation*
- Mark Hajduk, Arizona Public Service Company
- * Gina Grey, Western States Petroleum Association
- * Randi Alcott, Valley Metro
- Dave Berry, Arizona Motor Transport Association*
- Jeannette Fish, Maricopa County Farm Bureau*
- * Russell Bowers, Arizona Rock Products Association
- * Michelle Rill, Greater Phoenix Chamber of Commerce
- * Amanda McGennis, Associated General Contractors
- Spencer Kamps for Connie Wilhelm-Garcia, Homebuilders Association of Central Arizona*
- Mannie Carpenter, Valley Forward
- * Kai Umeda, University of Arizona Cooperative Extension
- Beverly Chenausky, Arizona Department of Transportation
- Diane Arnst, Arizona Department of Environmental Quality*
- Wienke Tax, Environmental Protection Agency*
- Jo Crumbaker, Maricopa County Air Quality Department
- Duane Yantorno, Arizona Department of Weights and Measures*
- * Ed Stillings, Federal Highway Administration
- * Judi Nelson, Arizona State University
- * B. Bobby Ramirez, Salt River Pima-Maricopa Indian Community
- * David Rueckert, Citizen Representative

*Members neither present nor represented by proxy.

#Participated via telephone conference call.

+Participated via video conference call.

CONTACT PERSON:

Dean Giles, (602) 254-6300

MAG Air Quality Technical Advisory Committee Recommendation

Prioritized List of Proposed PM-10 Certified Street Sweeper Projects for FY 2008 CMAQ Funding

\$1,110,000 available in FY 2008 of the FY 2008-2012 MAG Transportation Improvement Program

Supplemental Information												
Agency	Federal Cost	Local Cost	Total Cost	Daily Emission Reduction (Kilograms/day)	Cost-Effectiveness (CMAQ dollar cost per annual metric ton reduced)	The requested certified street sweeper will:			If project is to expand or increase sweeping frequency, have additional local resources been committed for staff or equipment to support the project?	Please indicate in what geographical area(s) the requested certified street sweeper will operate	Number of certified street sweepers your agency has already purchased.	Does the requested sweeper satisfy a commitment by your agency in the SIP?
						Replace	Expand	Increase Frequency				
Gilbert (#1)	\$180,246	\$10,895	\$191,141	363	\$194		✓	✓	No	Guadalupe Rd (Arizona Ave to Higley Rd.)	10	No
Gilbert (#2)	\$180,246	\$10,895	\$191,141	296	\$238		✓	✓		McQueen Rd (Baseline Rd to Warner Rd.)	10	No
Gilbert (#3)	\$180,246	\$10,895	\$191,141	234	\$300		✓	✓		Greenfield Rd/Santian Village Pkwy (Warner Rd and Germann Rd.)	10	No
Goodyear (#1)	\$193,315	\$11,685	\$205,000	196	\$384		✓	✓		City limits from Dysart to Peryville and from Camelback to Patterson.	3	Yes
Chandler *	\$160,000	\$10,000	\$170,000	74	\$839	✓				City of Mesa boundary to Frye Rd, Alma School Rd to Interstate 10.	10	Yes
Surprise	\$174,271	\$14,116	\$188,387	72	\$948		✓	✓		Zone 7: North of Deer Valley Rd to Dynamite and 187 th Ave to 155 th Ave.	7	Yes
Subtotal	\$1,068,324											
Maricopa County (#1) +	\$165,025	\$9,975	\$175,000	66	\$979		✓		✓	County-maintained roads within 10 miles of PM-10 monitoring stations.	2	Yes
Maricopa County (#2) +	\$165,025	\$9,975	\$175,000	66	\$979		✓		✓	County-maintained roads within 10 miles of PM-10 monitoring stations.	2	Yes
Arizona State University	\$91,943	\$5,558	\$97,500	32	\$1,119		✓		✓	Rio Salado Pkwy and Packard Dr to Spence Rd extension; Mill Ave to Rural Rd.	0	No
ADOT +	\$166,491	\$10,063	\$176,554	58	\$1,125		✓			State highways in western part of Valley.	4	Yes
Queen Creek	\$155,894	\$9,423	\$165,317	48	\$1,260		✓		✓	Power Rd. To Meridian Rd; Germann Rd. To Empire Rd.	3	Yes
Phoenix (#1) *	\$198,000	\$12,000	\$210,000	41	\$1,902		✓			Camelback Rd to Pecos Rd, Central Ave to 107 th Ave and 111 th Ave.	36	Yes
Phoenix (#2) *	\$198,000	\$12,000	\$210,000	36	\$2,153		✓			Camelback Rd to Pecos Rd, Central Ave to 56 th St.	36	Yes
Peoria	\$196,280	\$11,864	\$208,144	28	\$2,761		✓		✓	City wide.	6	Yes

Supplemental Information													
Agency	Federal Cost	Local Cost	Total Cost	Daily Emission Reduction (Kilograms/day)	Cost-Effectiveness (CMAQ dollar cost per annual metric ton reduced)	The requested certified street sweeper will:			If project is to expand or increase sweeping frequency, have additional local resources been committed for staff or equipment to support the project?		Please indicate in what geographical area(s) the requested certified street sweeper will operate	Number of certified street sweepers your agency has already purchased.	Does the requested sweeper satisfy a commitment by your agency in the SIP?
						Replace	Expand	Increase Frequency	Yes	No			
Avondale	\$179,170	\$10,830	\$190,000	25	\$2,808		✓		✓		City wide.	4	Yes
Goodyear (#2)	\$155,595	\$9,405	\$165,000	2	\$37,155			✓	✓		Sweep municipal parking areas and adjoining residential streets.	3	Yes
Paradise Valley	\$140,000	\$35,000	\$175,000	1	\$69,267			✓	✓		Lincoln Dr, Tatum , and residential and collector streets town wide.	2	No
Mesa+	\$189,724	\$11,468	\$201,192	1	\$74,745		✓		✓		Sweep adjacent to PM-10 monitor located at Broadway Rd and Brooks Circle and Price Rd to Mesa Dr and to city boundaries.	6	Yes
Total	\$3,069,471												

* Replaces older, less efficient, certified sweepers.

+ Proposed sweeper projects for Maricopa County #1, Maricopa County #2, Mesa, and ADOT indicate sweeping within ½ mile of a PM-10 monitor.

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

Conformity Consultation

SUMMARY:

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The proposed amendment includes the repackaging of existing Arizona Department of Transportation projects on Interstate-17 and on Interstate-10 between Loop 101 (Agua Fria Freeway) and Verrado Way. The amendment also includes ten federal-aid projects for the paving of dirt roads and shoulders in the Maricopa PM-10 Nonattainment Area for FY 2008, and several transit projects. Comments on the conformity assessment are requested by October 22, 2007.

MAG has reviewed the projects for compliance with the federal conformity rule and has found that the amendment requires consultation on the conformity assessment. The amendment includes projects that may be categorized as exempt from conformity determinations and minor project revisions that do not require a conformity determination. A description of the projects is provided in the attached interagency consultation memorandum.

PUBLIC INPUT:

Copies of the conformity assessment have been distributed for consultation to the Federal Highway Administration, Federal Transit Administration, Arizona Department of Environmental Quality, Arizona Department of Transportation, Regional Public Transportation Authority, City of Phoenix Public Transit Department, Maricopa County Air Quality Department, U.S. Environmental Protection Agency, Central Arizona Association of Governments, Pinal County Air Quality Control District, and other interested parties including members of the public.

PROS & CONS:

PROS: Interagency consultation for the amendment notifies the planning agencies of project modifications to the TIP.

CONS: The review of conformity assessment requires additional time in the project approval process.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The amendment may not be considered until the consultation process for the conformity assessment is completed.

POLICY: Federal transportation conformity regulations require interagency consultation on development of the transportation plan, TIP, and associated conformity determinations to include a process involving the Metropolitan Planning Organization, State and local air quality planning agencies,

State and local transportation agencies, Environmental Protection Agency, Federal Highway Administration, and the Federal Transit Administration. Consultation on the conformity assessment has been prepared in accordance with federal regulations, MAG Conformity Consultation Processes adopted by the Regional Council in February 1996 and MAG Transportation Conformity Guidance and Procedures adopted by the Regional Council in March 1996. In addition, federal guidance is followed in response to court rulings regarding transportation conformity.

ACTION NEEDED:

Consultation.

PRIOR COMMITTEE ACTIONS:

None.

CONTACT PERSON:

Dean Giles, MAG, (602) 254-6300.



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September 25, 2007

TO: Leslie Rogers, Federal Transit Administration
Robert Hollis, Federal Highway Administration
Victor Mendez, Arizona Department of Transportation
Stephen Owens, Arizona Department of Environmental Quality
David Boggs, Regional Public Transportation Authority/ Valley Metro
Debbie Cotton, City of Phoenix Public Transit Department
Robert Kard, Maricopa County Air Quality Department
Maxine Leather, Central Arizona Association of Governments
Donald Gabrielson, Pinal County Air Quality Control District
Wienke Tax, U.S. Environmental Protection Agency, Region IX
Other Interested Parties

FROM: Dean Giles, Air Quality Planning Program Specialist

SUBJECT: CONSULTATION ON A CONFORMITY ASSESSMENT FOR A PROPOSED
AMENDMENT TO THE FY 2008-2012 MAG TRANSPORTATION
IMPROVEMENT PROGRAM

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The proposed amendment includes the repackaging of existing Arizona Department of Transportation projects on Interstate-17 and on Interstate-10 between Loop 101 (Agua Fria Freeway) and Verrado Way. The amendment also includes ten federal-aid projects for the paving of dirt roads and shoulders in the Maricopa PM-10 Nonattainment Area for FY 2008, and several transit projects. Comments on the conformity assessment are requested by October 22, 2007.

MAG has reviewed the projects for compliance with the federal conformity rule and has found that the amendment requires consultation on the conformity assessment. The amendment includes projects that may be categorized as exempt and minor project revisions that do not require a conformity determination. The current conformity finding of the TIP and the associated Regional Transportation Plan that was made by the Federal Highway Administration and Federal Transit Administration on August 16, 2007 remains unchanged by this action. The conformity assessment is being transmitted for consultation to the agencies and other interested parties listed above. If you have any questions or comments, please contact me at (602) 254-6300.

Attachment

cc: Nancy Wrona, Arizona Department of Environmental Quality

A Voluntary Association of Local Governments in Maricopa County

City of Apache Junction ▲ City of Avondale ▲ Town of Buckeye ▲ Town of Carefree ▲ Town of Cave Creek ▲ City of Chandler ▲ City of El Mirage ▲ Fort McDowell Yavapai Nation ▲ Town of Fountain Hills ▲ Town of Gila Bend
Gila River Indian Community ▲ Town of Gilbert ▲ City of Glendale ▲ City of Goodyear ▲ Town of Guadalupe ▲ City of Litchfield Park ▲ Maricopa County ▲ City of Mesa ▲ Town of Paradise Valley ▲ City of Peoria ▲ City of Phoenix
Town of Queen Creek ▲ Salt River Pima-Maricopa Indian Community ▲ City of Scottsdale ▲ City of Surprise ▲ City of Tempe ▲ City of Tolleson ▲ Town of Wickenburg ▲ Town of Youngtown ▲ Arizona Department of Transportation

ATTACHMENT

CONFORMITY ASSESSMENT FOR A PROPOSED AMENDMENT TO THE FY 2008-2012 MAG TRANSPORTATION IMPROVEMENT PROGRAM

The federal transportation conformity rule requires interagency consultation when making modifications to a Transportation Improvement Program (TIP) and Transportation Plan. The consultation processes are also provided in the Arizona Conformity Rule. This information is provided for consultation as outlined in the MAG Conformity Consultation Processes document adopted by the MAG Regional Council on February 28, 1996. In addition, federal guidance is followed in response to court rulings regarding transportation conformity.

The amendment includes projects that may be categorized as exempt from conformity determinations and minor project revisions that do not require a conformity determination. Types of projects considered exempt are defined in the federal transportation conformity rule. A minor project amendment is necessary to change the funding source from state and/or local funds to federal funds, or to change the year that funds are programmed.

The proposed amendment to the FY 2008-2012 MAG Transportation Improvement Program includes the projects included in the attached table. The project number, agency, and description is provided, followed by the conformity assessment.

MAG has reviewed the projects for compliance with the federal conformity rule and consultation is required on the conformity assessment. The projects are not expected to create adverse emission impacts or interfere with Transportation Control Measure implementation. The current conformity finding of the TIP and the associated Regional Transportation Plan that was made by the Federal Highway Administration and Federal Transit Administration on August 16, 2007 remains unchanged by this action.

Amendments and Administrative Modifications to the FY2008-2012 MAG Transportation Improvement Program

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
DOT07-641R1	ADOT	17: Jomax Rd to SR-74 (Caretfree Hwy)	Widen freeway from 6 to 8 lanes	2008	5.00	RARF	\$ -	\$ -	\$ 95,000,000	\$ 95,000,000	Delete Project ¹	A minor project revision is required to repackage two previously programmed construction projects in the FY 2008-2012 Transportation Improvement Program as one new project for FY 2008. The conformity status of the FY 2008-2012 TIP and Regional Transportation Plan 2007 Update would remain unchanged.
DOT07-641R2	ADOT	17: Jomax Rd to SR-74 (Caretfree Hwy)	Widen freeway from 6 to 8 lanes and Construct New Freeway interchange at I-17 and 303L	2008	5.00	RARF	\$ -	\$ -	\$ 129,000,000	\$ 129,000,000	Add New Replacement Project ¹	The new project does not impact the transportation modeling applied in the regional emissions analysis for the conformity analysis for the FY 2008-2012 TIP and Regional Transportation Plan - 2007 Update. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
DOT07-711	ADOT	303 (Estrella Fwy): at I-17	Construct new freeway interchange	2008	1.20	RARF	\$ -	\$ -	\$ 34,000,000	\$ 34,000,000	Deletion Project ¹	The new project does not impact the transportation modeling applied in the regional emissions analysis for the conformity analysis for the FY 2008-2012 TIP and Regional Transportation Plan - 2007 Update. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
DOT08-835	ADOT	101L (Pima): Princess Dr to SR202L (Red Mountain)	Design and Construct Freeway Management System (FMS)	2008	14.00	State	\$ 2,441,000	\$ -	\$ -	\$ 2,441,000	Add New Project	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
DOT08-836	ADOT	SR 85: Southern Ave to I-10	Design, Right-of-Way and Utilities	2008	2.30	State	\$ 2,850,000	\$ -	\$ -	\$ 2,850,000	Add New Project	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
DOT08-837	ADOT	I-17 at Dove Valley Rd TI	Advance design new traffic interchange (city advancement) for repayment in RTP phase 3	2008	-	Local	\$ 2,263,000	\$ -	\$ -	\$ 2,263,000	Add New Project	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
DOT08-838	ADOT	85: MP 139.01 to MP 141.71	Relocate utilities, Phase 2	2008	2.70	State	\$ -	\$ -	\$ 244,000	\$ 244,000	Add New Project	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
DOT08-839	ADOT	85: I-8 to I-10	Design, acquire right of way & relocate utilities, Phase 2	2008	34.00	State	\$ -	\$ -	\$ 280,000	\$ 280,000	Add New Project	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
BKY07-703	Buckeye	Various Locations: Yuma Rd, Miller Rd	Pave dirt roads	2008	2	CMAQ	\$ 42,350	\$ 42,350	\$ -	\$ 84,700	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
BKY07-704	Buckeye	Various Locations: MC-85/Monroe, Southern Ave, Apache Rd	Pave dirt shoulders	2008	9.3	CMAQ	\$ 113,000	\$ 113,000	\$ -	\$ 226,000	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
CHN03-107R	Chandler	Ryan Rd: Arizona Ave to McCueen Rd	Pave dirt road	2008	1	CMAQ	\$ 18,000	\$ 162,000	\$ -	\$ 180,000	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
GLN07-779	Glendale	Various Locations: Camelback Rd, Litchfield Rd, Olive Ave, Greenway Rd, 83rd Ave, 75th Ave	Pave dirt shoulders	2008	5.17	CMAQ	\$ 133,035	\$ 133,035	\$ -	\$ 266,070	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
GDY07-708	Goodyear	Various Locations: Chandler Heights Blvd, Queen Creek Rd, Rainbow Valley Rd	Pave dirt roads	2008	4.5	CMAQ	\$ 234,000	\$ 234,000	\$ -	\$ 468,000	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
MMA05-214	Mariacopa County	PM-10 roads various locations	Pave dirt roads	2008	4.44	CMAQ	\$ 1,000,000	\$ 1,000,000	\$ -	\$ 2,000,000	Add Project to FY2008 from FY07-11 TIP	The project is considered under the category "traffic signal synchronization projects" and may be approved, funded, and implemented and considered under subsequent regional emissions analysis. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES04-125C	Mesa	Country Club Dr: 8th Ave to Baseline Rd (including US-60 TI)	Install real-time adaptive signal system	2009	1.5	CMAQ	\$ 581,190	\$ 788,810	\$ -	\$ 1,370,000	Add Project to FY2009 from FY07-11 TIP	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES240-08P	Mesa	Power Rd: East Maricopa Freeway to Galveston Rd	Pre-design roadway widening	2008	3.5	RARF	\$ 161,000	\$ -	\$ 374,000	\$ 535,000	Delete project and consolidate into MES240-06AD - ALCP Adjustment	The project is considered exempt from conformity requirements under the category "bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PEO08-602	Peoria	84th Ave: Peoria Ave to Monroe St	Design and construct at-grade pedestrian improvements	2008	0.28	CMAQ	\$ 1,013,030	\$ 1,184,057	\$ -	\$ 2,177,087	Add Project to FY2008 from FY07-11 TIP	The project is considered exempt from conformity requirements under the category "bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
PEO08-803	Peoria	Traffic Management Center	Construct Traffic Management Center	2008	0	CMAQ	\$ 424,350	\$ 890,200	\$ -	\$ 1,414,550	Add Project to FY2008 from FY07-11 TIP	The project is considered under the category "traffic signal synchronization projects" and may be approved, funded, and implemented and considered under subsequent regional emissions analysis. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX07-310	Phoenix	24th St. Rio Salado to Roesser Rd	Improve pedestrian facilities	2008	1	CMAQ	\$ 1,889,577	\$ 500,000	\$ -	\$ 2,389,577	Add Project to FY2008 from FY07-11 TIP	The project is considered exempt from conformity requirements under the category "bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX07-740	Phoenix	Various Locations	Pave dirt roads	2008	8.79	CMAQ	\$ 1,978,650	\$ 1,978,650	\$ -	\$ 3,957,300	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
PHX07-741	Phoenix	Various Locations	Pave dirt shoulders	2008	12.1	CMAQ	\$ 1,525,304	\$ 1,525,304	\$ -	\$ 3,050,608	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
QNC07-745	Queen Creek	Chandler Heights Rd. Power Rd to Havas Rd	Pave dirt shoulders	2008	1.5	CMAQ	\$ 111,691	\$ 111,691	\$ -	\$ 223,382	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
QNC07-746	Queen Creek	Hunt Highway: Power Rd to Elsworth	Pave dirt shoulders	2008	3	CMAQ	\$ 204,893	\$ 204,893	\$ -	\$ 409,786	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
SCT07-606	Scottsdale	Dynamite Blvd: Pima Rd to Alma School Rd	Install Vertical Curve and Gutter	2008	3	CMAQ	\$ 500,000	\$ 500,000	\$ -	\$ 1,000,000	Add Project to FY2008 from FY07-11 TIP	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
TMP04-102	Tempe	Curry Rd. Scottsdale Rd to McClintock Dr	Design and construct pedestrian facilities	2008	1	CMAQ	\$ 105,600	\$ 438,200	\$ -	\$ 543,800	Add Project to FY2008 from FY07-11 TIP	The project is considered exempt from conformity requirements under the category "bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
TMP04-104F	Tempe	Western Canal: Price Rd to Baseline	Construct multi-use path	2008	3.75	CMAQ	\$ 6,250,000	\$ 3,350,000	\$ -	\$ 9,600,000	Add Project to FY2008 from FY07-11 TIP	The project is considered exempt from conformity requirements under the category "bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
DOT07-336	ADOT	RM20213 LC - 202L Red Mountain Fwy: Power Rd to University Dr	Construct landscape	2008	4.50	RAPF	\$ -	\$ -	\$ 6,400,000	\$ 6,400,000	Increase Regional Cost	Minor project revision for increase in funding. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
DOT08-669	ADOT	10F: Loop 303 (Esrella Fwy) to Loop 202 (South Mountain Fwy)	Protect right of way	2008	14.00	RAPF	\$ -	\$ -	\$ 15,000,000	\$ 15,000,000	Increase Regional Cost	Minor revision to increase project funding. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
DOT08-747	ADOT	10: Sarval Ave to Loop 101L (Agua Fria Fwy)	Advance construct HOV and general purpose lanes (City advancement) for repayment in 2014	2008	8.00	Local Agency	\$ 51,000,000	\$ -	\$ -	\$ 51,000,000	Change Project Location ²	A minor project revision is required to repack previously programmed construction projects in the FY 2008-2012 Transportation Improvement Program. The conformity status of the FY 2008-2012 TIP and Regional Transportation Plan - 2007 Update would remain unchanged.
DOT08-749C	ADOT	10: Sarval Ave to 101L (Agua Fria)	Construct HOV and general purpose lanes (Pavement Preservation funds)	2008	8.00	State	\$ 6,000,000	\$ -	\$ -	\$ 6,000,000	Change Project Location ²	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
DOT08-750AC	ADOT	10: Sarval Ave to 101L (Agua Fria)	Advance construct HOV and general purpose lanes (City advancement phase 1 of 2) for reimbursement in 2011	2008	8.00	Local Agency	\$ 44,000,000	\$ -	\$ -	\$ 44,000,000	Change Project Location ²	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
DOT08-752AC	ADOT	10: Sarval Ave to Dysart Rd	Advance construct HOV and general purpose lanes (City advancement phase 2 of 2) for reimbursement in 2011	2009	4.00	Local Agency	\$ 35,000,000	\$ -	\$ -	\$ 35,000,000	Change Project Location ²	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
DOT08-815	ADOT	10: Verrado Way to Sarval Ave	Construct general purpose lanes (2009)	2009	5.5	State	\$ 43,200,000	\$ -	\$ -	\$ 43,200,000	Change Project Description ³	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
MMA08-805	Maricopa County	Regionwide	Expand arterial traveler information systems, including 511 and AZ511.com	2008	0	HURF	\$ 258,275	\$ -	\$ -	\$ 258,275	Delete - Duplicate	Minor revision to delete project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MMA08-808	Maricopa County	Glendale, Peoria and Scottsdale City Limits	Establish REACT arterial incident response teams in Glendale and Peoria	2009	0	HURF	\$ 386,380	\$ -	\$ -	\$ 386,380	Delete - Duplicate	Minor revision to delete project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MMA12-917	Maricopa County	Olive Ave: Ulichfield Rd to Loop 101 (Agua Fria Fwy)	Construct and install new conduit and fiber-optic cable for existing and planned ITS field devices	2012	0	HURF	\$ 760,914	\$ -	\$ -	\$ 760,914	Delete - Duplicate	Minor revision to delete project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.

PROJ #	Agency	Project Location	Project Description	Fiscal Year	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
MMA12-819	Maricopa County	Regionwide	Upgrade regional archived data server (RAADS) equipment	2012	0	HURF	\$ 29,508	\$	\$	\$ 29,508	Delete - Duplicate	Minor revision to delete project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES110-08RW	Mesa	Dobson Rd at Guadalupe Rd	Acquire right of way for intersection improvement	2009	1	RARF	\$ 101,000	\$	\$ 495,000	\$ 597,000	Change year from 2008 to 2009 - ALCP Adjustment	Minor revision to change programmed year for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES120-08C	Mesa	Greenfield Rd: Baseline Rd to Southern Ave	Construct roadway widening	2009	1	RARF	\$ 1,690,000	\$	\$ 3,941,000	\$ 5,631,000	Change year from 2008 to 2009 - ALCP Adjustment	Minor revision to change programmed year for project. The new project does not impact the transportation modeling applied in the regional emissions analysis for the conformity analysis for the FY 2008-2012 TIP and Regional Transportation Plan - 2007 Update. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES125-07P	Mesa	Greenfield Rd: Southern Ave to University Dr	Pre-design roadway widening	2012	2	RARF	\$ 124,000	\$	\$ 290,000	\$ 414,000	Change year from 2010 to 2012 - ALCP Amend.	Minor revision to change programmed year for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES125-08D	Mesa	Greenfield Rd: Southern Ave to University Dr	Design roadway widening	2013	2	RARF	\$ 124,000	\$	\$ 290,000	\$ 414,000	Change year from 2011 to 2013	Minor revision to change programmed year for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES125-09RW	Mesa	Greenfield Rd: Southern Ave to University Dr	Acquire right of way for roadway widening	2014	2	RARF	\$ 3,620,000	\$	\$ 1,651,000	\$ 5,171,000	Change year from 2012 to 2014	Minor revision to change programmed year for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES190-07D	Mesa	Thomas Rd: Gilbert Rd to Val Vista Dr	Design roadway widening	2009	2	RARF	\$ 154,000	\$	\$ 357,000	\$ 511,000	Change year from 2008 to 2009 - ALCP Adjustment	Minor revision to change programmed year for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES190-08RW	Mesa	Thomas Rd: Gilbert Rd to Val Vista Dr	Acquire right of way for roadway widening	2009	2	RARF	\$ 589,000	\$	\$ 1,327,000	\$ 1,916,000	Change year from 2008 to 2009 - ALCP Adjustment	Minor revision to change programmed year for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES240-06AD	Mesa	Power Rd: East Maricopa Floodway to Galveston Rd	Pre-Design and Design roadway widening	2008	3.5	RARF	\$ 607,000	\$	\$ 1,416,000	\$ 2,023,000	Change description and funding amounts to include pre-design - ALCP Amend.	Minor revision to change project description to include pre-design and funding amounts for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES240-07ARW	Mesa	Power Rd: East Maricopa Floodway to Galveston Rd	Acquire right of way for roadway widening	2009	3.5	RARF	\$ 819,000	\$	\$ 1,913,000	\$ 2,732,000	Change year from 2008 to 2009 and funding amounts - ALCP Amend.	Minor revision to change programmed year and funding amounts for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES240-09AC	Mesa	Power Rd: East Maricopa Floodway to Galveston Rd	Construct roadway widening	2009	3.5	RARF	\$ 4,121,000	\$	\$ 6,405,000	\$ 10,526,000	Change funding amounts - ALCP Amend.	Minor revision to change the funding amounts for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES300-06ARW	Mesa	Country Club at University	Advance acquire right of way for intersection improvement for reimbursement in 2017	2009	1	Sales Tax	\$ 1,426,000	\$	\$	\$ 1,426,000	Change year from 2008 to 2009 and funding amounts - ALCP Amend.	Minor revision to change the programmed year and funding amounts for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES450-07AC	Mesa	Gilbert Rd at University Dr	Advance construct intersection improvement for reimbursement in 2021	2009	1	Sales Tax	\$ 10,693,000	\$	\$	\$ 10,693,000	Change year from 2008 to 2009 - ALCP Adjustment	Minor revision to change programmed year for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX08-710	Phoenix	19th Ave at Grand Canal	Construct bridge replacement	2009	0	BR	\$ 500,000	\$ 1,000,000	\$	\$ 1,500,000	Change type of funds from local to Federal Bridge funds	Minor revision to change type of funds for project to Federal Bridge funds. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.

1. Combines widening of I-17 between Jomax and SR 74 with construction of a freeway interchange at the 303L.

2. Does not affect the location or construction of widening projects.

3. Corrects a typographical error in the TIP.

PROJ #	Agency	Federal Transit Administration Activity Line Item #	Project Description	Fiscal Year	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
AVN08-802T	Avondale	30.09.01	Operating: Operating Assistance	2008	5307	\$ 869,823	\$ 869,823	\$ -	\$ 1,739,646	Add new project: Avondale 5307 Appropriation	The project is considered exempt from conformity requirements under the category "operating assistance to transit agencies." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
BKY08-807T	Buckeye	11.31.04	Pre-design for regional park-and-ride (East Buckeye)	2008	5309	\$ -	\$ 76,744	\$ 19,186	\$ 95,930	Add Project to FY2008 from FY07-11 TIP: Align TIP with TLCP and allocate Section 5309 fixed guideway (Transit HOV) formula allocation	The project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
GLN08-816T	Glendale	11.12.04	Purchase bus: < 30 foot - 4 replace (dial-a-ride)	2008	5307	\$ -	\$ 243,200	\$ 60,800	\$ 304,000	Add Project to FY2008 from FY07-11 TIP: Align TIP with Transit Life Cycle Program (TLCP)	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MMA08-804T	Maricopa County	11.12.04	Purchase bus: < 30 foot - 7 replace (STS)	2008	5316	\$ 77,000	\$ 308,000	\$ -	\$ 385,000	Add New Job Access and Reverse Commute (JARC) Project	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MMA08-805T	Maricopa County	11.42.07	Computer Hardware	2008	5316	\$ 13,785	\$ 55,140	\$ -	\$ 68,925	Add New JARC Project	The project is considered exempt from conformity requirements under the category "purchase of office, shop, and operating equipment for existing facilities." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MMA08-806T	Maricopa County	11.42.08	Computer Software	2008	5316	\$ 15,334	\$ 61,336	\$ -	\$ 76,670	Add New JARC Project	The project is considered exempt from conformity requirements under the category "purchase of office, shop, and operating equipment for existing facilities." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MMA08-807T	Maricopa County	30.09.01	Operating: Operating Assistance	2008	5316	\$ 939,127	\$ 939,127	\$ -	\$ 1,878,254	Add New JARC Project	The project is considered exempt from conformity requirements under the category "operating assistance to transit agencies." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MMA08-808T	Maricopa County	30.09.01	Operating: Operating Assistance	2008	5317	\$ 130,865	\$ 130,865	\$ -	\$ 261,730	Add New "New Freedoms" Project	The project is considered exempt from conformity requirements under the category "operating assistance to transit agencies." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MES08-810T	Mesa	11.31.04	Pre-design for regional park-and-ride (US60 and Country Club)	2008	5309	\$ -	\$ 76,744	\$ 19,186	\$ 95,930	Add Project to FY2008 from FY07-11 TIP: Align TIP with TLCP and allocate Section 5309 fixed guideway (Transit HOV) formula allocation	The project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PEO07-802T	Peoria	11.12.04	Purchase bus: < 30 foot - 2 replace	2008	5307	\$ -	\$ 121,800	\$ 30,400	\$ 152,200	Add Project to FY2008 from FY07-11 TIP	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX07-840T	Phoenix	11.43.02	Construct regional heavy maintenance facility	2007	5307	\$ -	\$ 1,972,000	\$ 493,000	\$ 2,465,000	Delete Project: Construction determined. New year yet to be determined.	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
PHX08-844T	Phoenix	11.31.04	Repayment of pre-design for regional park-and-ride (I-17/Happy Valley)	2008	5309	\$ 17,180	\$ 68,722	\$ -	\$ 85,902	Add Project to FY2008 from FY07-11 TIP: Align TIP with TLCP and allocate Section 5309 fixed guideway (Transit HOV) formula allocation	The project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX08-845T	Phoenix	11.41.02	Repayment design heavy maintenance facility	2008	5309	\$ -	\$ 200,640	\$ (200,640)	\$ -	Add Project to FY2008 from FY07-11 TIP: SAFETEA-LU reauthorization Section 5309 earmark	The project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX08-846T	Phoenix	11.41.03	Repayment construct operating facility (West Valley)	2008	5309	\$ -	\$ 1,003,200	\$ (1,003,200)	\$ -	Add Project to FY2008 from FY07-11 TIP: SAFETEA-LU reauthorization Section 5309 earmark	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.

PROJ #	Agency	Federal Transit Administration Activity Line	Project Description	Fiscal Year	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
PHX08-847T	Phoenix	11.41.03	Repayment design Paratransit facility (Phoenix)	2008	5309	\$ -	\$ 200,640	-(200,640)	\$ -	Add Project to FY2008 from FY07-11 TIP; SAFETEA-LU reauthorization Section 5309 earmark	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
PHX08-848T	Phoenix	11.80.00	Program Administration	2008	5316	\$ -	\$ 151,512	\$ -	\$ 151,512	Add New JARC Project	The project is considered exempt from conformity requirements under the category "planning activities conducted pursuant to titles 23 and 49 U.S.C." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX08-849T	Phoenix	11.13.04	Four Sisters Meals 2-U; Purchase bus: < 30 foot - 1 expand	2008	5317	\$ 9,000	\$ 36,000	\$ -	\$ 45,000	Add New "New Freedoms" Project	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet". The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX08-850T	Phoenix	30.09.01	Four Sisters Meals 2-U; Operating: Operating Assistance	2008	5317	\$ 132,400	\$ 132,400	\$ -	\$ 264,800	Add New "New Freedoms" Project	The project is considered exempt from conformity requirements under the category "operating assistance to transit agencies." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
SCT08-807T	Scottsdale	11.33.03	Repayment construct intermodal facility (Scottsdale)	2008	5309	\$ -	\$ 501,600	-(501,600)	\$ -	Add new project; SAFETEA-LU reauthorization Section 5309 earmark	The project is considered exempt from regional emissions analysis requirements under the category "bus terminals and transfer points." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
SUR08-804T	Surprise	30.09.01	Operating: Operating Assistance	2008	5317	\$ 50,000	\$ 50,000	\$ -	\$ 100,000	Add New "New Freedoms" Project	The project is considered exempt from conformity requirements under the category "operating assistance to transit agencies." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
TEM08-809T	Tempe	11.41.03	Repayment construct operating facility (East Valley)	2008	5309	\$ -	\$ 1,304,160	-(1,304,160)	\$ -	Add Project to FY2008 from FY07-11 TIP; SAFETEA-LU reauthorization Section 5309 earmark	The new project would not be included in modeling for a regional emissions analysis. The conformity status of the TIP and RTP would remain unchanged.
RPT06-312T	Valley Metro	11.32.04	Design and acquire right of way for regional park-and-ride	2007	5309	\$ -	\$ 1,312,000	\$ 328,000	\$ 1,640,000	Delete Project: Replaced by agency specific projects	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-616T	Valley Metro	11.31.01	Pre-design regional transit center (4-bay)	2007	PTF	\$ -	\$ 31,523	\$ 7,881	\$ 39,404	Delete Project: Replaced by agency specific projects	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-617T	Valley Metro	11.31.01	Pre-design regional transit center (8-bay)	2007	PTF	\$ -	\$ 47,762	\$ 11,941	\$ 59,703	Delete Project: Replaced by agency specific projects	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-623T	Valley Metro	11.42.10	Purchase new fareboxes - 13 expand	2007	PTF	\$ -	\$ -	\$ 155,233	\$ 155,233	Delete Project: Fareboxes included in bus project line items	The project is considered exempt from conformity requirements under the category "purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.)" The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-624T	Valley Metro	11.42.10	Purchase new fareboxes - 19 expand	2007	5307	\$ -	\$ 181,503	\$ 45,376	\$ 226,879	Delete Project: Fareboxes included in bus project line items	The project is considered exempt from conformity requirements under the category "purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.)" The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-625T	Valley Metro	11.42.10	Purchase new fareboxes - 3 expand	2007	5309	\$ -	\$ 28,658	\$ 7,165	\$ 35,823	Delete Project: Fareboxes included in bus project line items	The project is considered exempt from conformity requirements under the category "purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.)" The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-626T	Valley Metro	11.42.10	Purchase new fareboxes - 4 expand	2007	5307	\$ -	\$ 38,211	\$ 9,553	\$ 47,764	Delete Project: Fareboxes included in bus project line items	The project is considered exempt from conformity requirements under the category "purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.)" The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-627T	Valley Metro	11.62.03	Purchase new radios/VMS - 13 expand	2007	PTF	\$ -	\$ -	\$ 170,716	\$ 170,716	Delete Project: Radios/Vehicle Management System (VMS) included in bus line items	The project is considered exempt from conformity requirements under the category "purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.)" The conformity status of the TIP and Regional Transportation Plan would remain unchanged.

PROJ #	Agency	Federal Transit Administration Activity Line	Project Description	Fiscal Year	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
VMT07-628T	Valley Metro	11.02.03	Purchase new radios/VMS - 19 expand	2007	5307	\$ -	\$ 199,606	\$ 49,902	\$ 249,508	Delete Project: Radios/VMS included in bus line items	The project is considered exempt from conformity requirements under the category "purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.)" The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-629T	Valley Metro	11.02.03	Purchase new radios/VMS - 3 expand	2007	5308	\$ -	\$ 31,517	\$ 7,879	\$ 39,396	Delete Project: Radios/VMS included in bus line items	The project is considered exempt from conformity requirements under the category "purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.)" The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-630T	Valley Metro	11.02.03	Purchase new radios/VMS - 4 expand	2007	5307	\$ -	\$ 42,022	\$ 10,506	\$ 52,528	Delete Project: Radios/VMS included in bus line items	The project is considered exempt from conformity requirements under the category "purchase of operating equipment for vehicles (e.g. radios, fareboxes, lifts, etc.)" The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-701T	Valley Metro	11.32.02	Design and acquire right of way for Regional Transit Center (4-bay)	2007	5307	\$ -	\$ 825,921	\$ 206,480	\$ 1,032,401	Delete Project: Replaced by agency specific projects	The project is considered exempt from regional emissions analysis requirements under the category "bus terminals and transfer points." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-702T	Valley Metro	11.32.04	Acquire land - two regional park-and-ride	2007	5309	\$ -	\$ 2,388,104	\$ 597,026	\$ 2,985,130	Delete Project: Replaced by agency specific projects	The project is considered exempt from regional emissions analysis requirements under the category "bus terminals and transfer points." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT08-823T	Valley Metro	11.12.01	Purchase bus: standard - 5 replace	2008	STP-Flex	\$ -	\$ 2,063,991	\$ 372,088	\$ 2,436,079	Add Project to FY2008 from FY07-11 TIP: 5 buses moved from RPT07-323T to utilize STP-Flex allocation	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT08-825T	VM/RFTA	11.7L.00	Mobility Management - Travel Training Program	2008	5317	\$ 32,200	\$ 128,800	\$ -	\$ 161,000	Add New "New Freedoms" Project	The project is considered exempt from conformity requirements under the category "operating assistance to transit agencies." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT08-826T	VM/RFTA	11.7L.00	Mobility Management - EV Alternative Paratransit Services	2008	5317	\$ 36,000	\$ 144,000	\$ -	\$ 180,000	Add New "New Freedoms" Project	The project is considered exempt from conformity requirements under the category "operating assistance to transit agencies." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT08-827T	VM/RFTA	30.09.01	Operating - Operating Assistance - EV Alternative Paratransit Services	2008	5317	\$ 349,000	\$ 349,000	\$ -	\$ 698,000	Add New "New Freedoms" Project	The project is considered exempt from conformity requirements under the category "operating assistance to transit agencies." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
MMA07-302T	Maricopa County	11.12.04	Purchase bus: < 30 foot - 13 replace (dial-a-ride)	2007	5307	\$ -	\$ 790,400	\$ 197,600	\$ 988,000	Increase from 10 to 13 buses, revise unit cost, and change match to PTF	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PEO07-701T	Peoria	11.12.04	Purchase bus: < 30 foot - 4 replace	2007	5307	\$ -	\$ 249,200	\$ 80,800	\$ 304,000	Correct quantity. Change from 2 to 4 buses and revise unit cost	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX04-213TRX	Phoenix	11.31.04	Repayment of advance design for regional park-and-ride	2007	CMAQ-Flex	\$ (245,811)	\$ 245,811	\$ -	\$ -	Change location from I-17/Peoria to I-17/Happy Valley	Project is considered exempt from conformity requirements under the category "engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX07-306T	Phoenix	11.12.04	Purchase bus: < 30 foot - 30 replace (dial-a-ride)	2007	5307	\$ -	\$ 1,824,000	\$ 456,000	\$ 2,280,000	Revise unit cost	Minor revision to change the funding amounts for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
PHX07-306T	Phoenix	11.12.01	Purchase bus: standard - 35 replace	2007	5307	\$ -	\$ 12,716,638	\$ 2,804,613	\$ 15,321,250	Increase from 31 to 35 buses and revise unit cost	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
RPT07-323T	Valley Metro	11.12.01	Purchase bus: standard - 7 replace	2007	5307	\$ -	\$ 2,643,328	\$ 520,923	\$ 3,064,250	Decrease from 12 to 7 buses by moving 5 buses to STP-Flex and revise unit cost	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
RPT07-324T	Valley Metro	11.12.15	Purchase vanpools: 30 replace	2007	STP-Flex	\$ -	\$ 927,000	\$ -	\$ 927,000	Move to STP-Flex	Minor revision to change type of funds for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
RPT07-326T	Valley Metro	11.12.15	Purchase vanpools: 11 expand	2007	CMAQ-Flex	\$ -	\$ 337,500	\$ -	\$ 337,500	Change quantity from 15 to 11	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.

PROJ.#	Agency	Federal Transit Administration Activity Line Item #	Project Description	Fiscal Year	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
VMT07-213T	Valley Metro	11.13.01	Purchase bus: standard - 13 expand (Main St)	2007	5307	\$ -	\$ 4,857,766	\$ 994,964	\$ 5,852,730	Decrease from 15 to 13 buses and revise unit cost	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-518T	Valley Metro	11.13.01	Advance purchase bus: standard - 29; expand (Dobson, Southern)	2007	PTF	\$ -	\$ -	\$ 13,056,090	\$ 13,056,090	Change from articulated to standard buses and quantity from 13 to 29	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-519T	Valley Metro	11.13.01	Purchase bus: standard - 19 expand (East/West/North Loop 101)	2007	5307	\$ -	\$ 6,267,944	\$ 1,283,796	\$ 7,551,740	Revise unit cost	Minor revision to change the funding amounts for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-621T	Valley Metro	11.12.01	Purchase bus: standard - 3 replace	2007	5307	\$ -	\$ 1,089,998	\$ 223,253	\$ 1,313,250	Correct unit quantity and cost calculation entry	Minor revision to change the funding amounts for project. The conformity status of the TIP and Regional Transportation Plan would remain unchanged.
VMT07-622T	Valley Metro	11.13.06	Purchase bus: standard - 5 expand Articulated (Red Mountain)	2007	5309	\$ -	\$ 2,505,539	\$ 513,183	\$ 3,018,022	Increase from 4 to 5 buses, revise unit cost, and change fund to 5309	The project is considered exempt from conformity requirements under the category "purchase of new buses and rail cars to replace existing vehicles or for minor expansions of the fleet." The conformity status of the TIP and Regional Transportation Plan would remain unchanged.

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

MAG FY 2009 PSAP Annual Element/Funding Request and FY 2009-2013 Equipment Program

SUMMARY:

Each year, the Public Safety Answering Point (PSAP) Managers submit inventory and upgrade requests that are used to develop a five-year equipment program that forecasts future 9-1-1 equipment needs of the region and will enable MAG to provide estimates of future funding needs to the Arizona Department of Administration (ADOA). The funding request for FY 2009 is required to be submitted to the ADOA by December 15, 2007.

The ADOA Order of Adoption stipulates allowable funding under the Emergency Telecommunications Services Revolving Fund. The Emergency Telecommunications Services Revolving Fund is funded by the monthly 9-1-1 excise tax on wireline and wireless telephones. The 9-1-1 excise tax has been reduced from 37 cents per month to 28 cents per month as of July 1, 2006. The excise tax was further reduced to 20 cents per month effective July 1, 2007. Efforts are being made to stabilize the 9-1-1 funds through legislation to ensure appropriate funding in the future.

PUBLIC INPUT:

None.

PROS & CONS:

PROS: The five-year equipment program assists the MAG 9-1-1 Oversight Team to forecast future equipment needs of the region and will enable MAG to provide estimates regarding future funding needs to ADOA.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: None.

POLICY: The process for approval of the PSAP funding request and five-year equipment program, which includes recommendations from the MAG 9-1-1 Oversight Team and Management Committee and approval by the Regional Council, demonstrates greater participation by management.

ACTION NEEDED:

Recommend approval of the MAG FY 2009 PSAP Annual Element/Funding Request and FY 2009-2013 Equipment Program for submittal to the Arizona Department of Administration.

PRIOR COMMITTEE ACTIONS:

9-1-1 Oversight Team: On September 11, 2007, the MAG 9-1-1 Oversight Team recommended approval of the MAG FY 2009 PSAP Annual Element/Funding Request and FY 2009-2013 Equipment Program for submittal to the Arizona Department of Administration.

MEMBERS ATTENDING

- | | |
|---|--|
| Harry Beck, Mesa Fire Department, Chair | Tom Melton for Helen Gandara-Zavala,
Scottsdale Police Department |
| * Mark Burdick, Glendale Fire Department | Brenda Buren, Tempe Police Department |
| Jessie Greening for Ray Churay, Maricopa
County Sheriff's Office | Lawrence Rodriguez, Tolleson Police
Department |
| * Mike Fusco, Emergency Mgmt, Peoria | |
| Steve Kreis, Phoenix Fire Department | |
| Robert Demlong, Phoenix Police Department | |

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

MAG 9-1-1 PSAP Managers Group: On July 19, 2007, the MAG 9-1-1 PSAP Managers Group recommended approval of the MAG FY 2009 PSAP Annual Element/Funding Request and FY 2009-2013 Equipment Program for submittal to the Arizona Department of Administration.

MEMBERS ATTENDING

- | | |
|--|--|
| Chris Nadeau, Goodyear, Chairperson | Darren Shortey for Curtis Thomas, Salt River
Pima-Maricopa Indian Community |
| * Kathy Jeter, Apache Junction | * Chris Randall for Tom Melton, Scottsdale |
| * Carrie Lombana, Avondale | * Carol Campbell, Surprise |
| * Velma Washington, Buckeye | Karen Allen, Tempe |
| * Vicki Szczepkowski, Chandler | * Toni Rogers, Tolleson |
| Stephanie Beebe for Mary Schlosser, Ft.
McDowell Yavapai Nation | Ed Syzponik, Wickenburg |
| Peggy Nunez for Janet Laird, Gilbert | + Brian Tobin, ASU |
| Sherrie Clark for Loretta Hadlock, Glendale | + Barbara Jaeger, ADOA |
| Erika Wilson, Mesa | *+ Nicole Ankenman, Capitol Police |
| Jesse Locksa, Maricopa County | *+ Debbie Henry, DPS |
| Larry Scott, Paradise Valley | *+ David Demers Luke AFB |
| Viola Bent for Vicky Scott, Peoria | + Louise Smith, Phoenix |
| Tami deRuiiter, Phoenix | + Ellen Anderson, Rural Metro/
Southwest Arribulance |

* Those members neither present nor represented by proxy.

CONTACT PERSON:

Liz Graeber, 602-534-9775, or Mary D. Franklin, 602-262-6260, Phoenix Fire Department.

MAG FY2009-2013 PSAP Equipment Program

	FY2009	FY2010	FY2011	FY2012	FY2013
Apache Junction PD	Nothing noted				
ASU/PD	Logging recorder				
Avondale PD	No Response				
Buckeye PD	Nothing noted	Logging recorder		4 positions	
Capitol PD	No Response				
Chandler PD	Nothing noted	Logging recorder / 2 positions / Move			
DPS	1 position				
Ft. McDowell	Upgrade - No Response				
Gilbert PD	Nothing noted				
Glendale PD	Logging recorder				
Goodyear PD	Upgrade / 2 positions / center remodel				Move
Luke AFB	Move				Move
MCSO	Upgrade - Nothing noted				Move
Mesa PD	Nothing noted		Logging recorder / 2 positions	2 positions	Move
Paradise Valley PD	Center remodel				
Peoria PD	4 positions	Logging recorder			
Phoenix Fire	Prior state approval for non standard item requests	Prior state approval for non standard item requests	Logging recorder - Prior state approval for non standard item request		
Phoenix PD	Nothing noted	5 positions	5 positions	5 positions	Logging recorder / 5 positions / Move
Rural Metro PD	Upgrade - Logging recorder				
Salt River PD	Nothing noted				
Scottsdale PD	No Response				
Surprise PD	1 position	1 position	1 position	1 position	Logging recorder
Tempe PD	Upgrade / 8 positions / Move	2 positions	1 position	2 positions	1 position
Tolleson PD	Move				
Wickenburg PD	Nothing noted				

MARICOPA ASSOCIATION OF GOVERNMENTS INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

Small Plant Review and Approval Process for the Proposed Scorpion Bay Wastewater Treatment Plant

SUMMARY:

The City of Peoria has requested that MAG review the proposed Scorpion Bay Wastewater Treatment Plant through the Small Plant Review and Approval Process of the MAG 208 Water Quality Management Plan. The facility would have an ultimate capacity of 35,000 gallons per day and reclaimed water would be disposed of through on-site irrigation reuse at the Scorpion Bay Marina. The project is located within the Peoria Municipal Planning Area and Lake Pleasant Regional Park that is managed by Maricopa County. The right to use the land for the Scorpion Bay Marina has been granted through an agreement with the Maricopa County Parks and Recreation Department. Maricopa County has also provided a letter indicating that they do not object to the proposed wastewater treatment plant. In addition, Yavapai County is within three miles of the project and have indicated no objections.

PUBLIC INPUT:

An opportunity for public comment was provided at the September 17, 2007 MAG Water Quality Advisory Committee meeting. There were no public comments received on this item.

PROS & CONS:

PROS: Approval of the proposed Scorpion Bay Wastewater Treatment Plant as part of the MAG 208 Water Quality Management Plan would make the facility consistent with the MAG 208 Plan. The MAG 208 Water Quality Management Plan is the key guiding document used by Maricopa County and the Arizona Department of Environmental Quality in granting permits for wastewater treatment systems in the MAG region.

CONS: Currently, there do not appear to be any negative impacts associated with the approval of the Scorpion Bay Wastewater Treatment Plant.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The proposed Scorpion Bay Wastewater Treatment Plant is needed to accommodate the Scorpion Bay Marina in the Lake Pleasant Regional Park.

POLICY: The MAG 208 Water Quality Management Plan is the key guiding document used by Maricopa County and the Arizona Department of Environmental Quality in granting permits for wastewater treatment systems in the MAG region. Approval of the facility would enable the facility to be deemed consistent with the MAG 208 Plan. Consistency is necessary for permit approvals.

ACTION NEEDED:

Recommend approval of the proposed Scorpion Bay Wastewater Treatment Plant as part of the MAG 208 Water Quality Management Plan.

PRIOR COMMITTEE ACTIONS:

Water Quality Advisory Committee: On September 17, 2007, the MAG Water Quality Advisory Committee unanimously recommended approval of the proposed Scorpion Bay Wastewater Treatment Plant as part of the MAG 208 Water Quality Management Plan.

MEMBERS ATTENDING

- | | |
|---|---|
| Roger Klingler, Scottsdale, Chair | Robert Hollander, Phoenix |
| * Marilyn DeRosa, Avondale | Rich Williams Sr., Surprise |
| Lucky Roberts, Buckeye | # David McNeil, Tempe |
| # Jacqueline Strong, Chandler | Kevin Chadwick, Maricopa County |
| # Greg Stack, El Mirage | John Boyer, Pinnacle West Capital |
| * Lonnie Frost, Gilbert | Jim Kudlinski for Ray Hedrick, Salt River |
| # Chris Ochs, Glendale | Project |
| # David Iwanski, Goodyear | Erin Taylor, U of A Cooperative Extension |
| # Bill Haney, Mesa | |
| Shawn Kreuzwiesner for Stephen Bontrager, | |
| Peoria | |

*Those members neither present nor represented by proxy.
#Attended by telephone conference call.

CONTACT PERSON:

Julie Hoffman, MAG, 602-254-6300

MARICOPA ASSOCIATION OF GOVERNMENTS INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

2007 Regional Human Services Summit Report

SUMMARY: In June 2007, nearly 200 people attended MAG's first Regional Human Services Summit. Participants developed the framework for eight projects, which are detailed in the 2007 Regional Human Services Summit Report. The projects address a diverse range of issues such as juvenile crime, developmental disabilities and aging. Community leaders have pledged to move the projects forward. While MAG will provide leadership for some of the projects, other agencies will implement the projects on behalf of the community. This helps to increase the capacity needed to support the identified initiatives while reducing duplication.

It has been proposed that MAG take leadership in two areas. First, participants from the Housing and Aging workshop proposed a conference that fits well into the special needs transportation conference already planned by MAG. The regional conference is part of the MAG Human Services Coordination Transportation Plan approved by the MAG Regional Council in May 2007. If approved, a Special Needs Conference on Housing and Transportation will be offered next spring.

Second, the MAG Continuum of Care Regional Committee on Homelessness has expressed interest in implementing the project proposed by the Homelessness and Mental Illness workshop participants. This entails creating a handbook and training about eligibility guidelines to help social service professionals place their clients in homeless and behavioral health services. Central Arizona Shelter Services has offered leadership on this project as well and will be active in the implementation. Other community leaders will initiate implementation of the remaining six projects.

PUBLIC INPUT: Public comment was offered at the September 19, 2007 Planning Subcommittee meeting of the MAG Regional Continuum of Care Committee on Homelessness. One person stated the new Behavioral Health Authority, Magellan, had offered assistance with the project focused on homelessness and mental illness. Additional opportunities for public input were given at the MAG Regional Domestic Violence Council, MAG Regional Continuum of Care Committee on Homelessness, and MAG Human Services Technical Committee meetings but no input was offered.

PROS & CONS:

PROS: This grass roots effort has created a bridge of communication between people living in the communities and affected by services to high level decision makers and elected officials. This line of communication has resulted in projects that are responsive to true and emerging needs within the region. Because the projects were developed without anticipation of significant funding increases, the projects do not represent a financial burden. Instead, real and positive benefits can be realized by strategic collaborations and partnerships.

CONS: There are no anticipated negative consequences to this report or its proposed projects.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The concept for the summit was developed from the 2006 MAG Regional Human Services Plan. The plan presents an array of information about the landscape of human services in the MAG region. Key issues such as aging, youth, homelessness and domestic violence are presented with corresponding research and reports about local activity. Information gathered through focus groups and surveys in which more than 500 people participated was used in developing the plan, adding layers of richness and detail seldom found elsewhere. The message from the community to human services providers and planners was clear: collaborate with each other, include the community in the planning process and address issues holistically. This summit strove to meet this call to action and has resulted in projects that will build on the region's resources.

POLICY: The motivation to create change through community engagement is shaped in part by realistic concerns about funding, staffing and sustainability. In the end, the most ambitious plans and greatest dreams without support are just paper and time wasted. While it is vital to be realistic about financial needs, funding itself does not create good projects. Funding supports good projects created from good planning. Good ideas attract talented people who contribute time and energy. This attracts funding which supports the project. The success of the project attracts new people and ideas, and so the cycle continues.

ACTION NEEDED:

Recommend approval of the 2007 Regional Human Services Summit Report.

PRIOR COMMITTEE ACTIONS:

The MAG Regional Continuum of Care Committee on Homelessness voted to recommend approval of the Maintaining Housing and Self-Sufficiency Project as presented in the 2007 Regional Human Services Summit Report on September 24, 2007.

MEMBERS ATTENDING:

- | | |
|---|---|
| Councilmember Greg Stanton, Phoenix, Chair | Mike McQuaid, Human Services Campus |
| Robert Duvall for Roberto Armijo, Community Information & Referral Services | Nick Margiotta, Phoenix Police Department |
| Kim Hohman for David Barnhouse, Governor's Office | Carrie Mascaro, Catholic Charities |
| * Judy Bowden, Mesa United Way | * Terra Masias, Chicanos Por La Causa |
| Brad Bridwell, US Vets | * Guy Mikkelsen, Foundation for Senior Living |
| * Kathryn Brown, AZ Dept of Corrections | Darlene Newsom, United Methodist Outreach Ministries |
| Kendra Cea, APS | * Laura Skotnicki, Save the Family |
| Amy Schwabenlender for Trinity Donovan, Valley of the Sun United Way | * Annette Stein, Maricopa County HS |
| Erick Strunk for Councilmember Steve Frate, Glendale, | Jacki Taylor, ACEH |
| Theresa James, City of Tempe | * Margaret Trujillo, MG Trujillo Associates |
| Deanna Jonovich, City of Phoenix | * Councilmember Mike Whalen, Mesa |
| Don Keuth, Phoenix Community Alliance, Vice Chair | * Supervisor Mary Rose Wilcox, Maricopa Co. |
| * Mark Ludwig, AZ Department of Housing | * Ted Williams, AZ Behavioral Health Corporation |
| * Dan Lundberg, Surprise | Margot Cordova for Diana Yazzie Devine, Native American Connections |

*Those members neither present nor represented by proxy.

+Those members present by audio or videoconference.

The MAG Human Services Technical Committee voted to recommend approval of the 2007 Regional Human Services Summit Report on September 20, 2007.

COMMITTEE MEMBERS ATTENDING

- | | |
|--|--|
| Carl Harris-Morgan, Gilbert, Chair | Jose Mercado for Doris Marshall, Phoenix |
| Judy Bowden, Mesa United Way | Jayson Matthews, Tempe Community Council |
| Paige Garrett Quality of Life | Yolanda Ramos, for Joy McClain, Tolleson |
| Joyce Gross, Buckeye | * Sandra Mendez, DES |
| Jeffery Jamison, Phoenix | * Kyle Moore, DES/ACYF |
| Deanna Jonovich, Phoenix | Sylvia Sheffield, Avondale |
| * Jim Knaut, Area Agency on Aging | Carol Sherer, DES |
| Margarita Leyvas, Maricopa County | * Judy Tapscott, Tempe |
| Joyce Lopez-Powell, VSUW | + Patrick Tyrrell, Chandler |
| + Bob Baratko for Dan Lundberg, Surprise | |

*Those members neither present nor represented by proxy.

+Those members present by audio/videoconferencing.

The MAG Planning Subcommittee of the MAG Regional Continuum of Care Committee on Homelessness voted to recommend approval of the Maintaining Housing and Self-Sufficiency Project as presented in the 2007 Regional Human Services Summit Report on September 17, 2007.

COMMITTEE MEMBERS ATTENDING

- | | |
|---|---|
| * Annette Stein, Maricopa County, Chair | Deborah Forbes-Baker for John Landrum, Salvation Army |
| Robert Duvall, CIR | Nick Margiotta, Phoenix Police Department |
| Richard Geasland, Tumbleweed | Monika Wallace for Ric Mason, Labor's Community Service |
| Katie Hobbs, Sojourner Center | John Wall, Central Arizona Shelter Services |
| Theresa James, Tempe, Vice Chair | Lisa Wilson, Mesa |
| Elizabeth Morales, AZ Behavioral Health | * Diana Yazzie Devine, Native American Connection |
| Darlene Newsom, UMOM | |
| Amy Schwabenlender, VSUW | |
| Laura Skotnicki, Save the Family | |
| Michelle Thomas, YWCA | |
| Deanna Jonovich, Phoenix | |

*Those members neither present nor represented by proxy.

+Those members present by audio/videoconferencing.

The MAG Regional Domestic Violence Council voted to recommend approval of the Home Safe Campaign and Judges Making a Difference projects as presented in the 2007 Regional Human Services Summit Report on August 16, 2007.

COMMITTEE MEMBERS ATTENDING

- | | |
|---|--|
| Mayor Mary Manross, Scottsdale, Chair | * Cmdr. Kim Humphrey, Phoenix Police |
| * John Blackburn Jr., AZ Criminal Justice | Candace Johnson, Prehab of Arizona |
| * Jennifer Casaletto, Maricopa Medical Cntr | Sarah Youngblood for Lillian Johnson, Community Legal Services |
| Debbie Nez for SRPMIC | Alice Gharieb for Mary Lynn Kasunic, Area Agency on Aging |
| * Suzanne Cohen, MC Attorney's Office | * Patricia Klahr, Chrysalis Shelter |
| * JoAnn Del-Colle, Phoenix FAC | Councilmember Phil Lieberman, Glendale |
| Councilmember Trinity Donovan, Chandler | * Jodi Beckely Liggett, AZ Foundation for Woment |
| Laura Guild, DES | Councilmember Betty Lynch, Avondale |
| Shannon Cotton for Cindy Hallman, Marley House | * JoEllen Lynn, American Express |
| + Bill Hart, Office of the Attorney General | Kendra Leiby for Christy Moore, AZ Coalition Against Domestic Violence |
| * Councilmember Brenda Holland, Goodyear | |
| Linda Melendez for Dan Hughes, Surprise Police Department | |

Maria-Elena Ochoa, Governor's Office
Michael Parascandola, Goodyear
Celeste Adams for Janice Parker, Save the
Family Foundation
Connie Phillips, Sojourner Center
Lynn Potts for John Pombier, Mesa

Michelle Layman for Kerry Ramella, Phoenix
Fire Department
* Sandra Renteria, Phoenix Police Dept.
Tina Solomon, Phoenix Prosecutor's Off
* Judy Tapscott, Tempe
* Rick Ybarra, ValueOptions

*Those members neither present nor represented by proxy.
+Those members present by audio/videoconferencing.

CONTACT PERSON:

Amy St. Peter, Human Services Manager, (602) 254-6300

DRAFT
Maricopa Association of Governments
2007 Regional Human Services Summit Report

Executive Summary

In the area of human services, what can we do now with what we have? This question was posed at the 2007 Regional Human Services Summit to nearly two hundred people committed to strengthening the quality of life in this region. On this one day, people from across the Valley and across diverse disciplines gathered to celebrate the good work being done in human services, to wrestle with competing needs and priorities, and to definitively develop the framework for projects that will result in tangible, positive change.

The summit was structured around the belief that the key to change is in the people who care about the community. Throughout the day, participants moved from plenary sessions with presentations from local and national speakers to workshops that focused on paired issues. At the end of the day, everyone came together to share the following projects developed within the workshops. Since then, community partners have rallied to move these projects forward on behalf of the community.

Judges Making a Difference

Collaborate with the Arizona Supreme Court to offer mandatory training about domestic violence to judges that will raise awareness and understanding about the dynamics of domestic violence, including how domestic violence can affect court cases. *For more information, please contact Missy Becker, Arizona State Supreme Court, mbecker@courts.az.gov.*

Juvenile Crime Reduction Campaign

Develop a grassroots campaign to engage community members in juvenile crime reduction and prevention. This campaign will empower the community through education. Parents, families and communities will receive information about issues and resources for juveniles, with the goal of prevention and intervention of juvenile crimes. *For more information, please contact Dennis Ichikawa, Casey Family Programs, dichikawa@casey.org.*

Developmental Disabilities and Aging Integration Project

Implement a pilot project to integrate persons with developmental disabilities who are over the age of 60 into senior centers, services and adult day centers. Caregivers will also benefit from respite, education, and training. *For more information, please contact Jim Knaut, Area Agency on Aging, knaut@aaaphx.org.*

Human Services Unification Project

Implement a marketing campaign and outreach plan that will increase awareness about the importance of human services. This will be done to raise the profile of human services. The campaign will also work to protect funding for human services programs

during budget cuts and to promote collaboration among agencies to maximize the funding currently available. *For more information, please contact Timothy Schmaltz, Protecting Arizona's Family Coalition, at tim@pafcoalition.org.*

Housing and Aging Summit and Development of a Blue Ribbon Committee

Host a summit on aging and housing in order to gather input and community support to develop a model of housing options for older adults that can be replicated throughout our communities. Form a committee to address this topic throughout the year on an ongoing basis. *For more information, please contact Amy St. Peter, Maricopa Association of Governments, astpeter@mag.maricopa.gov.*

Home Safe Campaign

Provide training about housing rights and financial stability for survivors of domestic violence to shelter staff. This will reduce rates of homelessness and better equip survivors to secure and maintain stable housing. *For more information, please contact Betty McEntire, Arizona Coalition Against Domestic Violence, at tc3@azcadv.org.*

Affordable Housing and Transportation Civic Education Campaign

A civic information campaign will increase awareness about the relationship between transportation and housing. The ideology of live, work and play is an important part of the strategy. This will change perspectives and break down paradigms to encourage more informed choices. This will be done by researching best practices and putting a face on the issue. *For more information, please contact Fred Karnas, Arizona Department of Housing, fredk@housingaz.com, Jacky Alling, Arizona Community Foundation, jalling@azfoundation.org or Teresa Brice, LISC Phoenix, at TBrice@lisc.org.*

Maintaining Housing and Self-Sufficiency

Create a handbook about specific eligibility factors and a corresponding training to better inform homeless and mental health providers about each other's programs. This will build collaborative relationships and improve services. *For more information, please contact David Bridge, Central Arizona Shelter Services, Inc., dbridge@cass-az.org.*

Next Steps

These projects offer a starting point for a continuing dialogue in the community. There are many opportunities for engagement. The municipalities, nonprofit agencies, faith-based organizations, tribes, businesses, and community activists all have important roles to play. The answer lies in not just one person or solution, but in everyone coming together for the good of all. We are thankful for the people and agencies who are providing leadership in these project areas. Thanks to them, the momentum built at the summit will continue to have positive impacts for the entire community.

While each project addresses a different challenge within the community, the solutions are similar in focus. Communication and commitment will transform our community. The more we speak with each other about our plans and ideas, the more coordinated our actions will be. This will result in more efficient and responsive activity. The more we

are committed to positive solutions and immediate action, the more people will become self-reliant and empowered. This will result in stronger communities.

For more information, please contact the MAG Human Services Division at (602) 254-6300 or at humanservices@mag.maricopa.gov. Thank you!

Letter from Mayor Lopez Rogers

It is with great pleasure that I present the 2007 Regional Human Services Summit Report. The following pages offer the research, planning and projects developed as part of the first summit on human services for the region. This document represents both a culmination and a beginning. The report presents the culmination of research and planning in areas such as affordable housing, disabilities, transportation, population growth and domestic violence. Nearly two hundred people attended this inaugural event while hundreds more shaped the data informing the day's discussions.

This report also represents a beginning. We now have the blueprint for innovative projects that have the potential to create incredible change. By collaborating with each other, we can multiply our capacity and achieve significant results. We have an opportunity to make life even better here in the region. We need only to embrace that opportunity and take the first steps. These steps are presented in the projects developed within the workshops at the summit. Activity will continue both within MAG and throughout the community to implement the projects and improve the quality of life for all.

MAG has provided leadership in human services planning for the region since 1976. As the council of governments for the area, the mission of MAG includes providing a forum for the discussion and study of regional issues, facilitating agreement among governmental units for the adoption of common policies, laying the groundwork for future growth and development, and identifying and solving regional problems by attaining the greatest degree of intergovernmental cooperation.

The MAG Human Services Planning Program strives to implement a collaborative approach for addressing critical community needs by identifying and leveraging resources, advocating for additional resources, and informing the public on prevalent human services issues. Through the human services committees at MAG, stakeholders from throughout the region strategically address human services issues through policy and planning. The committees represent membership from many disciplines and communities in an effort to be inclusive and responsive.

I invite you to take a few moments to read through this report and to be engaged through the MAG process. We need you as we take the next steps. If you have any questions, please contact the MAG Human Services Division by calling (602) 254-6300. Many reports, documents and a calendar of events may also be found at www.mag.maricopa.gov. I look forward to working with you. Thank you for all you do!

Marie Lopez Rogers
City of Avondale, Mayor
MAG Human Services Coordinating Committee, Chair

Introduction

In the area of human services, what can we do now with what we have? This question was posed at the 2007 Regional Human Services Summit to nearly two hundred people committed to strengthening the quality of life in this region. On this one day, people from across the Valley and across diverse disciplines gathered to celebrate the good work being done in human services, to wrestle with competing needs and priorities, and to definitively develop the framework for projects that will result in tangible, positive change. This report is the synthesis of all these voices and plans. This document provides a blueprint and contact people for communities, agencies and people wanting to implement collaborative projects that innovatively connect needs with resources.

On June 7, 2007, elected officials, government staff, social workers, faith-based organizations, academic representatives and the private sector rallied to the cause of human services planning. The purpose of the 2007 Maricopa Association of Governments (MAG) Regional Human Services Summit was to engage community stakeholders in a dynamic dialogue about forming partnerships and projects to create meaningful change in the community. The entire event was structured on the belief that the key to change is in the people who care about the community. Throughout the day, participants moved from plenary sessions with presentations from local and national speakers to workshops that focused on paired issues. At the end, everyone came together to share the projects developed within the workshops. This report reflects the research and discussions that shaped the projects. Since then, leaders in the community have stepped up to implement the projects. We are thankful to the community partners who are helping to maintain the momentum built at the summit.

The concept for the summit was developed from the 2006 MAG Regional Human Services Plan. The plan presents an array of information about the landscape of human services in the MAG region. Key issues such as aging, youth, homelessness and domestic violence are presented with corresponding research and reports about local activity. Information gathered through focus groups and surveys in which more than 500 people participated was used in developing the plan, adding layers of richness and detail seldom found elsewhere.

The message from the community to human services providers and planners was clear: collaborate with each other, include the community in the planning process and address issues holistically. People do not live their lives in carefully delineated boxes according to funding cycles or program boundaries. The same person who needs medical care may also need transportation to employment and affordable housing. That same person may also have critical insights on developmental disabilities and be a great volunteer with children. How to synthesize these experiences and harness the collective wisdom of the community became the driving force for the summit.

The motivation to create change through community engagement is shaped in part by realistic concerns about funding, staffing and sustainability. In the end, the most ambitious plans and greatest dreams without support are just paper and time wasted. While it is vital to be realistic about financial needs, funding itself does not create good

projects. Funding supports good projects created from good planning. As the event's keynote speaker Rick Lowe demonstrated, good ideas attract talented people who contribute time and energy. This attracts funding which supports the project. The success of the project attracts new people and ideas, and so the cycle continues.

So what *can* we do with what we have now? The answer is: quite a lot. Good starting points are found in the projects developed within the workshops. The dialogue initiated at the Regional Human Services Summit did not end with the closing session. The real work begins as we make the connections sparked by the summit and implement the projects. Every project will require broad based community support and engagement. Just as we are all affected by human services, we all have an important role to play in human services planning for the region.

Issue Pairings

This section of the report presents the projects that were developed within the summit workshops, with an overview of the corresponding research. Prior to the workshops, all summit participants received copies of the templates that are included in the appendix. The templates offer a high level summary of each issue as well as the areas in common between the pairing.

Domestic Violence and the Civil Legal System

Name of Project

Judges Making a Difference

Definitions

Domestic Violence: A pattern of behavior used to establish power and control over another person, with whom an intimate relationship is or has been shared, through fear and intimidation, often including the threat or use of violence.

Civil Legal System: The body of law relating to contracts and suits as contrasted with criminal law. Civil law covers suits of one party by another for such matters as breach of contract, negligence or compensation for damages. The standard of proof in civil cases is preponderance of evidence - a greater weight of evidence for than against, which is a weaker standard than absence of a reasonable doubt.

Overview

While there are a number of domestic violence survivors who file police reports, quite a few are never involved with the criminal justice system. Their only involvement with the legal system is through the civil legal system, particularly in family court. This involvement includes seeking redress by obtaining legal separation, divorce, child custody, child support and/or compensation for damages. Preliminary findings from a recent study indicate that many judges are suspicious of people involved in Family Court disputes who claim domestic violence. This may have a negative affect on the decisions made in court that in turn will negatively affect domestic violence survivors and children.

Project Description

Collaborate with the Arizona Supreme Court to offer mandatory training about domestic violence to judges that will raise awareness and understanding about the dynamics of domestic violence, including how domestic violence can affect court cases.

Identified Need or Opportunity Addressed by the Project

While domestic violence is briefly addressed in the orientation for new judges, there is currently no mandatory training specific to domestic violence. This presents an opportunity to work collaboratively with the Supreme Court to develop a curriculum that will meet their need for more information about domestic violence. This will make judges better prepared to address domestic violence appropriately in their courts. Having judges who clearly understand the cycle of domestic violence will especially help when a survivor cannot afford representation. Lack of representation for the survivor coupled with a judge who may not have enough information about domestic violence can result in

cases being handled inappropriately with devastating effects for the survivors and children.

Supporting Research or Models

The Morrison Institute for Public Policy is currently conducting a study of judges' attitudes about domestic violence. This is in follow-up to their research on attitudes of law enforcement about domestic violence. In that research, they found that many law enforcement personnel have negative attitudes about domestic violence. Training has been implemented as a result. With the current research on judges, the Morrison Institute is finding that training for judges could be beneficial as well. Preliminary communication with the Supreme Court has indicated that such training would meet a current need.

Key Partners and Resources

The following categories are potential partners in this project:

- Advocacy agencies such as the Arizona Coalition Against Domestic Violence
- The Arizona Supreme Court
- Municipalities
- Government agencies focused on legal issues or domestic violence

Success Indicators

Successful implementation of a training program for judges will result in a better understanding of the dynamics of domestic violence as indicated by a pre- and post-test.

Next Steps

MAG staff has met with representatives from the Arizona Supreme Court. They will offer the following new training opportunities for judges about domestic violence:

1. The mandatory orientation for new judges will feature domestic violence training. Week One will provide a case study about domestic violence and Week Two will feature one hour on domestic violence issues specifically.
2. A full day of training on domestic violence will be offered on October 4, 2007, in conjunction with the Family Law Conference. If possible, additional information will be given at a plenary session at this event.
3. The mandatory new rules training for all judges will feature information about domestic violence.
4. The mandatory judicial conference will feature three hours on domestic violence training by the Arizona State Supreme Court Committee on the Impact of Domestic Violence on the Courts.

For more information

Please contact Missy Becker, Program Manager Education Services Division, Arizona State Supreme Court, mbecker@courts.az.gov.

Youth and Crime

Name of Project

Juvenile Crime Reduction Campaign

Definitions

Youth: Minors under the age of 18, including those who are exposed to risk factors such as drugs, academic failure, family conflict and peers who encourage delinquent behavior.

Crime: According to Arizona Revised Statutes, a crime is a misdemeanor or a felony. Status offenses are crimes due to the person's age. If an adult committed that same act, then it would not be a crime, for example, truancy and curfew violations.

Overview

Arizona ranks third in the country for juvenile violent crime and fourth for juvenile property crime. Juveniles made up 13 percent of violent crime committed in 2005, with minority youth being disproportionately represented in the juvenile corrections system. With growing demands exceeding capacity in the county, the task force for the grassroots Juvenile Crime Reduction Campaign will seek to provide information and resources to communities where juveniles are at the greatest risk, with the goal of reducing and preventing crime.

Project Description

Develop a grassroots campaign to engage community members in juvenile crime reduction and prevention. This campaign will be designed to empower the community through education. Parents, families and communities will receive information about issues and resources for juveniles, with the goal of prevention and intervention of juvenile crimes.

Identified Need or Opportunity Addressed by Project

Summit participants identified education and the role of schools as well as substance abuse and lack of employment as needs to be addressed to prevent and reduce disproportional juvenile crime in communities. The group considered utilizing traditional family group decision-making models, education, and grass roots organizing to mobilize parents and families. If people are better informed of issues facing today's youth, this could lead to the prevention and intervention of juvenile crime. The diversity of the community can lend strength to this effort.

Supporting Research or Models

Two national best practices offer insight for how this project might be implemented. Children At Risk (CAR), a community based program dedicated to the prevention of offenses, substance abuse, gang activity, and other problem behaviors committed by high risk juveniles, offers compelling support for this approach. Delivered and tailored to five low-income, high crime cities (Austin, TX; Bridgeport, CT; Memphis TN; Savannah, GA; Seattle, WA), preventive measures included family counseling, family skills training, tutoring, after-school activities and case management. Studies of all five cities indicated that those who participated in a program were less likely to commit violent

juvenile crimes or use/sell drugs. They were also less likely to associate with delinquent peers and experienced less peer pressure to engage in juvenile crimes.

The Substance Abuse and Mental Health Services Administration “Communities That Care” (CTC) model, funded by the Office of Juvenile Justice and Delinquency Prevention, emphasizes the reduction of risk factors for juvenile crimes and enhances protective factors against delinquency. The multi-level planning process includes interventions that have demonstrated success by tailoring them to the community. This has established that the program helps mobilize communities in planning and implementing juvenile crime prevention programs on the basis of what works best for the community.

Key Partners and Resources

The members in the breakout group committed to participate in a task force to pilot the project.

Success Indicators

A successful pilot campaign will result in the reduction of juvenile crime in communities where juvenile crime rates are high and disproportionate confinement exists.

Next Steps

1. Have summit participants reconvene as a task force for the pilot campaign.
2. Recruit and confirm additional members for the task force.
3. Develop the pilot project model.
4. Secure funding as needed.
5. Implement the pilot project.
1. Evaluate, refine and expand the project.

For more information

Please contact Dennis Ichikawa, Arizona Field Offices and State Strategies Senior Director, Casey Family Programs, dichikawa@casey.org.

Aging and Development Disabilities

Name of Project

Developmental Disabilities and Aging Integration Project

Definitions

Aging: Persons age 60 or older.

Developmental disability: A severe chronic disability, attributable to cognitive disability, cerebral palsy, epilepsy or autism.

Overview

Thanks to better medical care, assistive devices and a better overall quality of life, people with developmental disabilities are living longer than ever before. According to the 2000 Census, there are 386,306 people aged 60 and over with some kind of developmental disability in the MAG region. This presents a significant challenge as the systems of care attempt to adjust. Seniors with developmental disabilities have different needs than seniors not impaired in this way and from younger people with developmental disabilities. The strain increases as people who have developmental disabilities are living with and trying to care for their aging parents. As both the adult children and their parents age, their needs intensify.

Project Description

Summit participants proposed to implement a pilot project to integrate persons with developmental disabilities over the age of 60 into senior centers, services and adult day centers. Caregivers will also benefit from respite, education, and training.

Identified Need or Opportunity Addressed by the Project

Because this is a relatively new area of service, there are few models that have demonstrated success in integrating aging people with developmental disabilities into the senior services arena. During the focus groups that informed the 2006 Regional Human Services Plan, people with developmental disabilities expressed great concern about being able to care for themselves and their parents as they aged. For many, they had never lived outside the home and did not know where they would go once their parents died. The parents were also very worried about who would care for their adult children in the long-term future. While very adept at addressing physical and sensory disabilities, the current senior service system has not been designed to meet the needs of people with developmental disabilities. Adjustments will need to be made to accommodate these special needs.

Supporting Research or Models

The Aging and Disability Resource Center is being developed by the Arizona Department of Economic Security to make information more readily accessible. This online service will be available in the next year. Some municipalities, such as the City of Tempe, have created an Americans with Disabilities Act (ADA) specialist position within the diversity office. This staff person works with external offices to educate the public and internally to develop projects and coordinate services. The Arizona Bridge to Independent Living, a

private nonprofit agency, is working with many partners to open a new facility in two years that will offer a variety of comprehensive services. This site will include services for seniors with developmental disabilities.

Key Partners and Resources

The following categories are potential partners in this project:

- Associations and agencies that address aging and developmental disabilities
- Municipalities
- Clients and consumers

Success Indicators

A successful pilot project will result in the integration of seniors with developmental disabilities into mainstream senior services, better utilization of funding and open communication between the two fields of aging and developmental disabilities.

Next Steps

1. The Area Agency on Aging and the Division for Developmental Disabilities under the Arizona Department of Economic Security are meeting to develop the pilot project model.
2. Recruit and confirm additional partners to assist in the pilot project.
3. Secure funding as needed.
4. Implement the pilot project.
5. Evaluate, refine and expand the project.

For more information

Please contact Jim Knaut, Senior Vice President, Area Agency on Aging, knaut@aaaphx.org

Community and Government/Population Growth and Human Services Capacity

The projects for these two workshops have been combined because they both address the need for a unified voice regarding human services. Both workshops found that rapid population growth, increasing needs and strained service delivery systems create a crisis for human services in the region. This crisis must be met with careful and deliberate strategies that unify all human services. By working together, we can elevate the community's understanding for and appreciation of human services.

Name of Project

Human Services Unification Project

Definitions

Community: A group of people who live in the same area, who may have a common background or shared interests within a society.

Government: The political direction and control exercised over the actions of the members, citizens, or inhabitants of communities, societies, and states; direction of the affairs of a state, community, etc.; political administration.

Population Growth: Percentage and absolute population growth. Maricopa County is the fourth most populous in the United States and has added more than 600,000 people between 2000 and 2005. Phoenix is the fifth largest city in the United States and between 2000 and 2005 added almost 150,000 people.

Human Services Capacity: The ability of a region to deliver human services and assistance that people need to maintain their quality of life. Also a measure of the performance and impact of services rendered.

Overview

The following three factors dramatically shape regional human services planning. First, the quickly changing dynamics of the region challenge municipalities and agencies to develop and maintain responsive plans and services. Second, as new issues emerge and needs increase, the strain already felt by human services agencies and municipalities to respond increases. Third, while there are many rich voices in the human services arena, there is not a unified message within the region for human services. These challenges limit the effectiveness of current efforts to meet human services needs. Developing a unified vision will help raise the profile of human services, protect resources dedicated to human services, inform the planning process, and more effectively meet the needs of the community.

Project Description

Implement a marketing campaign and outreach plan that will increase awareness about the importance of human services. This will be done to raise the profile of human services. The campaign will also work to protect funding for human services programs and to promote collaboration among agencies to maximize the funding currently available.

Identified Need or Opportunity Addressed by the Project

Factors such as limited resources and competing interests can make sustainable funding for human services difficult to achieve. The public may not understand or have empathy for people who access human services programs. The people who do receive services often are not engaged by the political process. This makes outreach based on accurate data and common needs a critical activity. If human services providers can rally around a unified vision, then the general public can be better informed. This will help to make funding more sustainable and available for the communities' residents in need.

Supporting Research or Models

Human services agencies report an increasingly limited ability to meet the needs that exists in the region. The unmet needs continue to grow as the population increases. The October 2006 Arizona Town Hall describes some of the infrastructure challenges wrought by the region's rapid population growth. One of the recommendations resulting from the Town Hall calls for a long-term human services plan to serve as a blueprint for municipalities, a benchmark of success, a stabilizing factor in turbulent times and a call to action for the public. With a clarified vision and voice, we can better mobilize support from the community to ensure that life-enhancing services continue.

Key Partners and Resources

The following categories are potential partners in this project:

- Funders
- Chambers of Commerce
- Municipalities
- Government, nonprofit and faith-based agencies
- Media
- Advocacy agencies

Success Indicators

Successful implementation will result in more stable support, funding and resources for human services and more collaboration among providers.

Next Steps

1. Protecting Arizona's Family Coalition (PAFCO) will work with community partners to establish an agenda addressing the diverse needs within human services. The same document will present solutions. This unified voice will proactively champion human services and provide tools for affecting change.
2. PAFCO will raise awareness about this effort by engaging the media, community partners and the legislature.

For more information

Please contact Timothy Schmaltz, Coordinator/CEO, Protecting Arizona's Family Coalition, at tim@pafcoalition.org.

Aging and Housing

Name of Project

Housing and Aging Summit and Development of a Blue Ribbon Committee

Definitions

Aging: Persons aged 60 or older.

Housing: Buildings or other facilities where people live. There is a need to ensure that a variety of housing options are affordable, or no more than 30 percent of a person's income, and accessible for people with limited physical ability.

Overview

People aged 60 and over represent 11 percent of the population. This number is expected to double by 2025. As people age, their physical, sensory and sometimes cognitive abilities can deteriorate. This means housing must be adapted to meet these emerging needs. There has been new emphasis on providing appropriate, affordable housing within each community. This will ensure that people can live safely in their own homes for as long as possible, thereby creating naturally occurring retirement communities. Research indicates that aging in place is the highest choice and priority for most seniors.

Project Description

Host a summit on aging and housing in order to gather input and community support to develop a model of housing options for older adults that can be replicated throughout our communities. Workshop participants also proposed to form a committee that could address this topic throughout the year on an ongoing basis.

Identified Need or Opportunity Addressed by the Project

As more people reach age 60 and older, they will need more information about housing options available to them. This conference will raise awareness about the variety of choices and help to coordinate communication and information about resources. When people do not live independently in their own homes, they are more likely to rely on expensive services like nursing homes and assisted care facilities. As medical costs increase, many older adults are forced to choose between paying for housing or medicine critical to their health. The homeless community has witnessed a significant influx of older adults living on the streets because they choose to pay for their medication and lose their homes as a result.

With such a large number of people reaching this age range in the years ahead, this will become an important community issue. As the ratio of working Americans to retired Americans will drop from five working Americans to one retired American down to two working Americans for every retiree, the region will be more strained to effectively address this issue. The ability of the region to truly meet this need will have indelible affects on older adults living within our communities.

Supporting Research or Models

According to the Joint Center for Housing Studies of Harvard University, the range of housing options needs to be fully explored and communicated so people can make appropriate choices. When housing options are limited to expensive nursing homes or the decreasing feasibility of remaining in one's own home, older adults may suffer from overcare or undercare. Overcare creates increased dependence on unnecessary treatments and quality of life diminishes. When a person receives more care than needed, this often results in learned helplessness. The corresponding loss in mobility and freedom can exacerbate depression and confusion.

Undercare, or not receiving enough care, results in increased health problems and safety risks which also negatively affect quality of life. When a person does not receive the support they need at home, this affects the quality of the housing stock. Preventative home maintenance can save thousands of dollars. In-home services, such as home delivered meals and personal care, can enhance the independence of older adults for years. Instead of moving to a facility, an older adult can remain in their own home with such appropriate modifications made. Doing so will help older adults to maintain their social network and to limit the trauma associated with difficult transitions.

Key Partners and Resources

The following categories are potential partners in this project:

- Funders
- Real estate and housing developers
- Faith-based organizations
- Private nonprofit agencies
- Universities
- Advocacy groups
- Public entities

Success Indicators

The creation of more accessible housing for older adults, increased community collaboration as well as more information available on the Internet for ease of access will demonstrate success of this project.

Next Steps

1. MAG will add housing to the planned special needs transportation conference scheduled for June 2008.
2. Recruit and confirm speakers on both topics and how they intersect.
3. Market and facilitate the event.
4. Explore ways MAG can assist a committee with a community partner.

For more information

Please contact Amy St. Peter, Human Services Manager, Maricopa Association of Governments at astpeter@mag.maricopa.gov.

Homelessness and Domestic Violence

Name of Project

Home Safe Campaign

Definitions

Homelessness: Individuals, families, and youth who lack a fixed, regular nighttime residence or who reside in institutions, shelters, or in a place not meant for human habitation.

Domestic Violence: A pattern of behavior used to establish power and control over another person, with whom an intimate relationship is or has been shared, through fear and intimidation, often including the threat or use of violence.

Overview

Homelessness and domestic violence are inextricably linked. While funding streams and programs are often very distinct, the people served are often the same. Many domestic violence survivors become homeless when they leave their abuser. Conversely, many homeless people become victims of abuse at the hands of their partners. If more survivors of domestic violence can secure safe housing, then this will help stabilize them as well as make current shelter beds more available to those still in need. Barriers such as crime-free housing regulations, limited supplies of affordable housing and low incomes all exacerbate this dilemma.

Project Description

The Home Safe Campaign will help prevent domestic violence survivors from becoming homeless by preparing them to secure housing. This will be done by providing domestic violence shelter staff information about housing rights and how to attain financial stability. This will help survivors access safe housing at a rate they can afford.

Identified Need or Opportunity Addressed by Project

Domestic violence survivors are at great risk for becoming homeless. MAG completed a survey of domestic violence survivors in 2005 and discovered that many lived on the streets, in unsafe and/or temporary housing until they were able to access shelter. Fleeing from the abuser often places survivors in living arrangements that are just as dangerous. This study demonstrates that more needs to be done to safely house domestic violence survivors when they leave their abuser.

There is also a danger that survivors could become homeless even before they leave their abuser. Many landlords will evict a family for domestic violence or calls made to the police. This leaves the survivor as well as the abuser with nowhere to go.

Even when survivors can access shelter, many face difficulty when trying to secure housing upon exit from the shelter. For many survivors, they are not earning enough money to secure safe housing at an affordable rate. This can compel a victim to return to the abuser or live on the streets. Focus groups conducted with survivors indicated that housing is a primary concern. The majority said they could find a job and secure an

education on their own, but they needed assistance with housing. Some have police records as a result of the domestic violence and cannot enter crime-free housing. This eliminates options at a critical juncture.

Supporting Research or Models

MAG completed a study of the capacity of domestic violence shelters in 2005. The report, *“The Need for Increased Domestic Violence Shelter in the MAG Region,”* was published in January 2006. Surveys were administered by all nine local domestic violence shelters to all current clients as well as people calling to request shelter. The findings demonstrated that when the survivors who were surveyed could not access shelter, 23 percent stayed with their abuser, 26 percent stayed with a friend, 23 percent stayed with a family member, and 30 percent stayed in a hotel or on the streets. The U.S. Department of Education considers temporary arrangements such as staying with friends and family (49 percent) as being homeless.

Thirty percent of those surveyed qualified as being homeless under the more stringent U.S. Department of Housing and Urban Development definition and were actually living on the streets. The remaining 23 percent staying with their abuser were not homeless but were living in extreme danger of further harm or death. In sum, people who were denied shelter lived in conditions that were unsafe such as being homeless, or violent, because they remained with their abuser. This research clearly illustrates the link between domestic violence and homelessness.

Key Partners and Resources

The following key partners and resources were identified:

- Advocacy organizations such as the Arizona Coalition Against Domestic Violence
- Local domestic violence shelter and service providers
- Homeless service providers
- Local police departments
- Local fire departments
- Faith-based organizations
- Municipalities
- Housing associations
- Financial institutions

Success Indicators

Pre- and post-testing of survivors regarding knowledge about financial stability and housing will indicate the effectiveness of the curricula changes.

Next Steps

1. The Arizona Coalition Against Domestic Violence will recruit and confirm partners to assist in the project.
2. Review curricula developed for domestic violence survivors and assess effectiveness of the financial stability and housing components.

3. Make changes to the curricula as needed in partnership with the agencies offering the education.
4. Implement the revised curricula and conduct pre- and post-testing.
5. Evaluate the effectiveness and make changes as necessary.

For more information

Please contact Betty McEntire, Training Coordinator, Arizona Coalition Against Domestic Violence, at tc3@azcadv.org

Affordable Housing and Transportation

Name of Project

Affordable Housing and Transportation Civic Education Campaign

Definitions

Affordable housing: The generally accepted definition of affordability is for a household to pay no more than 30 percent of its annual income on housing.

Transportation: Modes of conveyance including private vehicles, taxis and shuttles, public transportation, bicycles, and walking. Essentially, access to reliable, affordable transportation greatly impacts one's quality of life and connection with the community.

Overview

"Drive until you qualify" is increasingly being heard as the answer to rising housing costs in the Phoenix metro area. Families and older adults especially are moving to the fringes of the region in order to access more affordable housing. Most people do not take into account the costs of transportation in dollars, time and vehicle use.

Project Description

A civic information campaign will increase awareness about the relationship between transportation and housing. The ideology of live, work and play is an important part of the strategy. This will change perspectives and break down paradigms to encourage more informed choices. This is done by researching best practices and putting a face on the issue.

Identified Need or Opportunity Addressed by Project

Summit participants acknowledged that the market responds to what people want. If people want houses with more land at cheaper prices, then developers will locate new subdivisions farther from the core of the region. If the priority becomes proximity to employment and services, this can result in the development of higher density housing more centrally located. The group looked to successful social marketing campaigns that changed the public's attitudes about water usage and smoking. If the community can be better informed about the relationship between housing and transportation, their shift in attitude will shift the market in ways that best meet people's needs.

Supporting Research or Models

According to the national Center for Housing, the average family spends 57 percent of its income on housing and transportation costs combined. Those who spend less on housing typically spend more on transportation. The reverse is also true. As one spends more on housing, transportation costs decline. In Phoenix, the typical household spends 27 percent of their income on housing and 30 percent on transportation. Moderate income households living in suburban areas can have very few transportation options as public transit often has a limited presence there. In Phoenix, 89 percent of commuters use their private vehicle with a mere three percent taking public transit.

The City of Goodyear has a campaign to “live, work and play” in Goodyear. This model could be expanded to encourage the same of residents in other municipalities. This campaign also presents a challenge to local governments to align economic and housing development.

Key Partners and Resources

The following categories are potential partners in this project:

- Developers
- Elected officials and municipalities
- Agencies that develop affordable housing or related policy and research

Success Indicators

A successful civic education campaign will result in people making better informed choices about housing and transportation. As a result, their choices will be more closely aligned with their lifestyles and they will experience fewer unintended consequences.

Next Steps

2. The Arizona Department of Housing has prepared a presentation through the new Center for Affordable Housing and Livable Communities. This will be presented at the Rural Conference in the fall of 2007.
3. The Arizona Housing Commission will receive the presentation and will be encouraged to offer the presentation statewide.
4. The Arizona Department of Housing will address transit-oriented development by encouraging thoughtful development of housing along key alternative transportation routes such as rail and bus lines.
5. The Arizona Community Foundation is sponsoring research about the effects of commutes on social issues such as health and family life. This effort will be supported through the Foundation’s recoverable grant pool for affordable housing.
6. Local Initiatives Support Corporation (LISC) Phoenix is undertaking an initiative called Building Livable Neighborhoods in Metro Phoenix. Through this effort, LISC will develop a presentation tool and workshop strategy that engages community organizations and civic leaders in discussions of realistic solutions and realistic designs for building sustainable, affordable and healthy neighborhoods.

For more information

Please contact Fred Karnas, Administrator for the Center for Affordable Housing and Livable Communities, Arizona Department of Housing, fredk@housingaz.com. For more information about the proposed research on the effects of commutes, please contact Jacky Alling, Senior Program Officer, Arizona Community Foundation, jalling@azfoundation.org. For more information about LISC’s activities, please contact Teresa Brice, Executive Director, LISC Phoenix, at TBrice@lisc.org.

Homelessness and Mental Illness

Name of Project

Maintaining Housing and Self-Sufficiency

Definitions

Homelessness: Individuals, families, and youth who lack a fixed, regular nighttime residence or who reside in institutions, shelters, or in a place not meant for human habitation.

Mental Illness: An abnormal mental condition or disorder associated with significant stress or dysfunction; cognitive, emotional, behavioral and interpersonal impairments.

Overview

There is considerable overlap between people who are homeless and people who experience mental illness. There can be a gap, however, between the programs serving these populations. According to recent research conducted by the agency Homeward, nearly half the people admitted to the psychiatric hospital were also in the Homeless Management Information System. The report indicates that homeless people were much more likely to have mental illness than substance abuse. Living on the streets greatly exacerbates mental illness due to the instability of the environment, isolation, poor nutrition and healthcare, increased likelihood of violence and lack of medication. Providers in each system report limited communication and misinformation between the two fields.

Project Description

Create a handbook about specific eligibility factors and a corresponding training to better inform homeless and mental health providers about each other's programs. This will build collaborative relationships and improve services.

Identified Need or Opportunity Addressed by Project

Lack of coordination between homeless assistance programs and the mental health community results in wasted resources financially, missed opportunities, and even harm as people remain on the streets. For example, lack of clarity about eligibility causes inappropriate referrals to be made from one system to the other. This slows access and frustrates everyone involved. It can be very difficult to engage mentally ill homeless people. If an opportunity is lost, another may not manifest. That means the person will remain homeless at great personal and societal cost.

Key Partners and Resources

The following key partners and resources were identified:

- Mental health community
- Homeless assistance programs

Success Indicators

Improved collaboration among homeless providers and behavioral health providers will result in clients remaining in housing for longer periods of time. They will report an increase in their self-sufficiency and satisfaction with services.

Next Steps

1. Identify accurate eligibility factors and target populations best served by local providers of shelter and services in the homelessness and behavioral health field. Include useful practices in helping clients access programs.
2. Organize this information into a comprehensive handbook and distribute it throughout the community.
3. Develop a training based on the handbook and present it to local groups of providers.
4. Develop a system to update the information annually.

For more information

Please contact David Bridge, Chief Administrative Officer, Central Arizona Shelter Services, Inc., dbridge@cass-az.org.

Conclusion

The Maricopa Association of Governments thanks everyone who helped make the summit a success. We are grateful for the summit speakers- Mayor Mary Manross of Scottsdale, Mayor Marie Lopez Rogers of Avondale and Councilmember Greg Stanton of Phoenix- who helped to inspire the participants. Without the generous support of our sponsors, this event would not have been possible. This includes ValueOptions of Arizona, Arizona State University's College of Human Services, SRP, APS, and the Arizona Department of Economic Security, Arizona Human Services Providers. We offer a special thanks to the facilitators of the workshops whose leadership resulted in the projects. The facilitators included:

Allie Bones, former State Homeless Coordinator and Program Manager, Arizona Department of Economic Security.

Judith Fritsch, Program Administrator, Office of Community Partnerships and Innovative Practices, Arizona Department of Economic Security.

Donald P. Keuth, President of the Phoenix Community Alliance.

Susan Hallett, Program Administrator, Office of Community Partnerships and Innovative Practices, Arizona Department of Economic Security.

Bill Hart, Senior Research Analyst at Morrison Institute of Public Policy, Arizona State University.

Steve Hastings, Chief of Real Estate Services, Foundation for Senior Living.

Dennis Ichikawa, J.D., Field Office and State Strategies Director, Casey Family Programs in Arizona.

Bill Kennard, Executive Director of Recovery and Rehabilitation Systems Innovations, ValueOptions of Arizona.

Jim Knaut, Senior Vice President of the Area Agency on Aging, Region One.

Carol Kratz, Senior Program Officer, The Virginia G. Piper Charitable Trust.

Betty McEntire, Training Coordinator, Arizona Coalition Against Domestic Violence.

Jeff Romine, Senior Regional Economist, Maricopa Association of Governments.

Shannon Scutari, Policy Advisor for Growth and Infrastructure, Governor's Office.

Jacki Taylor, MC, Executive Director, Arizona Coalition to End Homelessness.

Wayne Tormala, Community Initiatives Coordinator, City of Phoenix.

Margaret Trujillo, Owner, Margaret Trujillo and Associates.

Minnie Williams, Support Coordination Program Manager, Arizona Department of Economic Security, Division of Developmental Disabilities.

We are indebted to all the providers and volunteers who toil on the front lines every day. Due to your steadfast commitment and ongoing efforts, people's lives are improved and communities are strengthened. Plans are made and projects are developed during events like this, but the real test comes with implementation. Thank you in advance for your support of these projects, but more importantly, for all that you do for those needing a second chance.

Acknowledgements (list members of)

- Regional Council
- HSCC
- Management Committee
- Summit participants

MAG Federally Funded Projects Status Report

Since October 2002, MAG staff has produced a status report on the progress of local member agency, MAG federally funded projects in the ADOT administered, federal clearance and design approval process. The information in this report is based on information obtained from the ADOT Local Governments Section and feedback from various MAG member agencies. This report includes information for projects that are sponsored by local governments in the MAG area, that are in the current and next fiscal year of the TIP, funded by CMAQ or sub allocated STP, and are classified as 'Street', 'Bicycle', 'Pedestrian', 'AQ or TDM' or 'ITS' projects.

Report Layout

Box 1	Box 2	Box 3	Box 4	Box 5
GLB06-203B SS 637 01C CMAQ-GLB-01(200)A Gilbert - Gilbert Town Center, Design traffic management center (phase B) and purchase further equipment	CMAQ \$368,401 HURF \$126,599 Total \$495,000	ADOT Contact Bill Snarr (602) 712-7025 Agency Contact Rick Hooker (480) 503-6933	Phase DCR Envir Design Bid Date	IGA under development. This is a procurement project and should obligate in 2007.
Active	ITS			

Box 1. Project Identification Numbers, Location and Description Information

- Top Row: This row lists various identification numbers for the project: MAG TIP Identification Number, the ADOT Tracs Number and, the Federal Project Number
- Middle Rows: These rows provide the location and work description of the project as it is listed in the MAG TIP.
- Bottom Row: This row identifies the status and mode of the project. Status field values are as follows:
 - Abandoned. The project has been abandoned for federal funding by the sponsoring agency.
 - Active. The project is under active development at ADOT Local Governments.
 - At-Risk. The project is highly unlikely to obligate in the fiscal year it is programmed.
 - Authorized. The project has obligated.
 - Closeout Project: Project is included for closeout and is generally already designed or is procurement or design project.
 - Deferral Requested. The sponsoring agency has requested to defer the project.
 - Inactive. The project sponsor has not contacted ADOT or at most has only obtained project numbers from ADOT.

Box 2. Project Funding Information. This box lists project funding sources and amounts as listed in the MAG TIP.

Box 3. Contacts. This box lists contact information for ADOT Local Governments staff and the project sponsor.

Box 4. Development Schedule. This is a simplified calendar that shows the month when key clearances and design approvals were achieved by the project. A capital 'A' in a column indicates the approval by ADOT. The columns in the calendar are as follows:

- Phase: This identifies an item to be approved. The labels in this column are as follows:
 - DCR - The Design Concept Report for the project
 - Envir. - Environmental Clearance for the project
 - Design - The plans, specification and estimates package for the project
- 06: This refers to activity that was approved in FY 2006 or earlier.
- The remainder of the columns identify months of the federal fiscal year where an approval is achieved.
- The bottom row lists the bid date of the project. This field is not currently being maintained.

Box 5. Summary Note: Provides a short summary note concerning the project.

Federal FY 2007 Projects

Project Identification Numbers, Location and Description Information	Project Funding	Contacts	Development Schedule																												Summary Note						
			Federal FY 2007														Federal FY 2008																				
			Phase	06	O	N	D	J	F	M	A	M	J	J	A	M	J	J	A	S	Phase	06	O	N	D	J	F	M	A	M		J	J	A	S		
BKY07-703 Buckeye - Various Locations: Yuma Rd, Miller Rd, Pave dirt roads	CMAQ \$42,350 HURF \$42,350 Total \$84,700	ADOT Contact Agency Contact	DCR																DCR																		This is a dirt road paving project that was programmed late in FY 2007 and is expected to be amended into FY 2008.
Deferal Requested AQ or TDM																																					
BKY07-704 Buckeye - Various Locations: MC-85/Monroe, Southern Ave, Apache Rd, Pave dirt shoulders	CMAQ \$113,000 HURF \$113,000 Total \$226,000	ADOT Contact Agency Contact	DCR																DCR																		This is a dirt road paving project that was programmed late in FY 2007 and is expected to be amended into FY 2008.
Deferal Requested AQ or TDM																																					
CHN03-107R Chandler - Ryan Rd: Arizona Ave to McQueen Rd, Pave dirt road	CMAQ \$162,000 Bonds \$18,000 Total \$180,000	ADOT Contact Adel Edward (602) 712-8534 Agency Contact Robert Seller	DCR	A															DCR	A																	Project obligated and has bid
Authorized AQ or TDM																																					
CHN07-702 Chandler - Chandler Blvd at Price/Loop 101 (Pima Fwy) TI, Extend bicycle lane through the interchange - Study & Design (Phase 1 of CHN12-805)	CMAQ \$200,000 Local \$12,000 Total \$212,000	ADOT Contact Agency Contact	DCR																DCR																		FY 2007 closeout project.
Closeout Project Bicycle																																					
CHN10-618 Chandler - Various locations, Upgrade outdated TS1 signal equipment with TS2 signal equipment	CMAQ \$422,700 Bonds \$422,700 Total \$845,400	ADOT Contact Agency Contact	DCR																DCR																		This is a procurement project and should obligate in 2007.
Closeout Project ITS																																					
GBD05-202R Gila Bend - Martin Ave at Pima St (SR-85), Improve pedestrian facilities	STP-MAG \$188,600 General Fun \$11,400 Total \$200,000	ADOT Contact John Dickson (602) 712-8683 Agency Contact Lynn Farmer	DCR																DCR																		This was a HURF exchange project and therefore did not need to go through the ADOT review process Funds for the project were obligated.
Authorized Street																																					
GLB06-203B Gilbert - Gilbert Town Center, Design traffic management center (phase B) and purchase further equipment	CMAQ \$368,401 HURF \$126,599 Total \$495,000	ADOT Contact Bill Snarr (602) 712-7025 Agency Contact Rick Hooker (480) 503-6933	DCR																DCR																		IGA under development. This is a procurement project and should obligate in 2007.
Authorized ITS																																					

Federal FY 2007 Projects

Project Identification Numbers, Location and Description Information	Project Funding	Contacts	Development Schedule																												Summary Note
			Federal FY 2007														Federal FY 2008														
			Phase	06	0	N	D	J	F	M	A	M	J	J	A	S	06	0	N	D	J	F	M	A	M	J	J	A	S		
GLN12-802 Glendale - Loop101 (Agua Fria Fwy) at 63rd Ave, Construct multi-use overpass	CMAQ \$1,100,000 Sales Tax \$856,000 Total \$1,956,000	ADOT Contact Agency Contact																													
Authorized Bicycle																												Project has obligated			
GDY04-204C SS 507 01C CM-GDY-0(007)A Goodyear - Litchfield Rd: Wigwam Blvd to MC 85, Install conduit and fiber cabling (smart corridor)	CMAQ \$902,440 General Fun \$125,000 Total \$1,027,440	ADOT Contact Bill Snarr (602) 712-7025 Agency Contact Luke Albert (623) 882-7519																													
Authorized ITS																												DCR and Envir. Clr. Approved. Project expected to obligate in FY 2007			
GDY07-303 SS 545 01C CM-GDY-0(010)A Goodyear - Goodyear TOC, Purchase and install equipment for Traffic Operations Center	CMAQ \$640,000 General Fun \$160,000 Total \$800,000	ADOT Contact Bill Snarr (602) 712-7025 Agency Contact Luke Albert (623) 882-7519																													
Authorized ITS																												This is a dirt road paving project that was programmed late in FY 2007 and is expected to be amended into FY 2008.			
GDY07-709 Goodyear - Various Locations: Chandler Heights Blvd, Queen Creek Rd, Rainbow Valley Rd, Pave dirt roads	CMAQ \$234,000 HURF \$234,000 Total \$468,000	ADOT Contact Agency Contact																													
Authorized AQ or TDM																												Project has obligated			
Deferral Requested MMA05-214 SS 564 01C CM-MMA-0(043)A Maricopa County - PM-10 roads various locations, Pave dirt roads (FY 2005)	CMAQ \$1,000,000 HURF \$1,000,000 Total \$2,000,000	ADOT Contact John Dickson (602) 712-8683 Agency Contact Ron Park (602) 506-2901																													
Authorized AQ or TDM																												The project obligated in October 2006.			
MMA06-206 SS58201C CM-MMA-0(045)A Maricopa County - McDowell Mountain Rd: Fountain Hills city limits to Forest Rd, Design and construct bicycle lane	CMAQ \$494,870 HURF \$533,314 Total \$1,028,184	ADOT Contact Adel Edward (602) 712-8534 Agency Contact Samir Hatab (602) 506-2867																													
Authorized Bicycle																												Project has obligated			
MMA06-207 SS 600 01C CM-MMA-(047)A Maricopa County - Regionwide, Construct Aztech smart corridors, Phase 3 (design-build)	CMAQ \$1,350,000 HURF \$810,000 Total \$2,160,000	ADOT Contact John Dickson (602) 712-8683 Agency Contact Nicolass Swart (602) 506-0599																													
Authorized ITS																												Project has obligated			

Federal FY 2008 Projects

Project Identification Numbers, Location and Description Information	Project Funding	Contacts	Development Schedule																												Summary Note
			Federal FY 2007														Federal FY 2008														
			06	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S				
SCT08-608 Scottsdale - Indian Bend Wash: Jackrabbit Rd to Chaparral Rd, Add multi-use path and grade-separated crossing Active Bicycle	CMAQ \$494,891 Sales Tax or \$598,300 Total \$1,093,191	ADOT Contact Agency Contact																											DCR approved and all tech docs for EC submitted as of 8/13/2007		
SCT08-801 Scottsdale - Area enclosed by McKellips Rd to Indian School Rd and 64th St to Pima Rd, Replace traffic signal controllers and cabinets Inactive ITS	CMAQ \$244,065 Sales Tax \$30,935 Total \$275,000	ADOT Contact Agency Contact																													
SUR07-325 Surprise - Various locations, Pave dirt roads Inactive AQ or TDM	CMAQ \$305,520 HURF \$203,680 Total \$509,200	ADOT Contact Bill Snarr (602) 712-7025 Agency Contact																											Project was deferred from 2007.		
SUR08-612 Surprise - Surprise Center Pkwy at Statler Blvd, Supply and install TMC equipment (phase 1) Inactive ITS	CMAQ \$600,000 Impact Fees \$400,000 Total \$1,000,000	ADOT Contact Agency Contact																													
SUR08-806 Surprise - Bell Rd at Coyote Lakes, Dysart Rd and 134th Ave, Equipment (CCTV cameras) and installation Inactive ITS	CMAQ \$19,525 General Fun \$10,475 Total \$30,000	ADOT Contact Agency Contact																													
SUR08-819 Surprise - Saguaro View Area, Pave unpaved roads Inactive AQ or TDM	CMAQ \$535,688 Local \$2,439,312 Total \$2,975,000	ADOT Contact Agency Contact																													
TMP05-105 Tempe - University Dr: Perry Lane to Price Rd, Design and construct pedestrian facilities Active Pedestrian	CMAQ \$400,000 General Fun \$100,000 Total \$500,000	ADOT Contact Bill Snarr (602) 712-7025 Agency Contact Eric Iwerson (480) 350-8810																											Project was deferred from 2007. DCR and Envir. Clr. Approved as of 8/13/2007.		

Federal FY 2008 Projects

Project Identification Numbers, Location and Description Information	Project Funding	Contacts	Development Schedule																												Summary Note
			Federal FY 2007														Federal FY 2008														
			Phase	06	0	N	D	J	F	M	A	M	J	J	A	A	S	Phase	06	0	N	D	J	F	M	A	M	J	J	A	
TMP07-303 Tempe - College Ave: Alameda Dr to Superstition Fwy, Improve pedestrian facilities (phase 1 of 2) Inactive Pedestrian	CMAQ \$800,000 General Fun \$201,000 Total \$1,001,000	ADOT Contact Adel Edward (602) 712-8534 Agency Contact																											Project was deferred from 2007.		
TMP07-312 SS664 01C CM-TMP-0(204)A Tempe - West Dam: South Bank to North Bank, Construct bicycle/pedestrian bridge Inactive Bicycle	CMAQ \$1,750,000 General Fun \$1,250,000 Total \$3,000,000	ADOT Contact Bill Snar (602) 712-7025 Agency Contact Eric Iwerson (480) 350-8810																											Project was deferred from 2007.		
TMP08-602 Tempe - College Ave, Construct pedestrian improvements Inactive Pedestrian	CMAQ \$1,750,000 General Fun \$750,000 Total \$2,500,000	ADOT Contact Agency Contact																													
TMP08-603 Tempe - Downtown Tempe, Construct Traffic Management Center Inactive ITS	CMAQ \$510,000 General Fun \$437,500 Total \$947,500	ADOT Contact Adel Edward (602) 712-8534 Agency Contact Eric Iwerson (480) 350-8810																													
TMP08-801 Tempe - Citywide, Engineering services for ITS network components Inactive ITS	CMAQ \$116,739 Other \$58,275 Total \$175,014	ADOT Contact Agency Contact																													

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY...for your review

DATE:

September 25, 2007

SUBJECT:

FY 2008 MAG Early Phase Public Input Opportunity

SUMMARY:

The Maricopa Association of Governments (MAG) conducts a four-phase public involvement process: Early Phase, Mid-Phase, Final Phase and Continuous Involvement. The FY 2008 Early Phase Input Opportunity was conducted from August 2007 through September 2007 and provides initial opportunity for input on a draft listing of projects that eventually make up the Draft FY 2009-2013 Transportation Improvement Program (TIP) and any draft update to the Regional Transportation Plan. During the Early Phase Public Input Opportunity, MAG participated in and cosponsored events with the Arizona Department of Transportation (ADOT), Regional Public Transportation Authority (Valley Metro), Valley Metro Rail (METRO) and City of Phoenix Public Transit Department. Various forums for input were used during the FY 2008 Early Phase Input Opportunity. MAG received public comment at all MAG policy committees during the phase. In addition, MAG also received comment via telephone and online correspondence.

On Thursday, August 16, 2007, MAG staffed a booth at the Independent Living Summit. Staff was available to answer questions and respond to comments. Information was translated into Braille for blind attendees of the Summit. On Friday, August 17, 2007, MAG held an Early Phase Stakeholders meeting. Approximately 60 people attended from the public and private sector, including several Valley residents interested in transportation planning. Staff from ADOT, Valley Metro and METRO provided presentations and public comment was received. On Wednesday, August 29, 2007, MAG staffed a booth at ADOT's I-17 Construction Open House. Staff received comments and responded to questions regarding I-17 construction. On Friday, September 7, 2007, MAG staffed a booth at the National Federation of the Blind of Arizona statewide conference. Staff was on hand to answer questions and respond to comments. Information was translated into Braille for conference attendees. On Thursday, September 14 and Friday, September 15, 2007, MAG staffed a booth at the Hispanic Women's Conference. MAG staff distributed a MAG Awareness survey, answered questions and responded to comments related to the Valley's transportation system.

PUBLIC INPUT:

Input was received throughout the Early Phase Input Opportunity and is included in the attached Draft FY 2008 Early Phase Input Opportunity Report.

PROS & CONS:

PROS: The FY 2008 Early Phase Public Input Opportunity provides initial opportunity for the public to provide comment on transportation plans and programs prior to approval of draft documents by MAG policy committees, in accordance with federal law. The input process also provides information regarding the meeting process, content, and results to participants, staff, decision makers, federal agencies and other interested parties.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: This input will be considered in the development of the Draft FY 2009-2013 Transportation Improvement Program.

POLICY: The Early Phase process fulfills both the federal requirements and MAG policy, while the report conveys these results to policymakers. In December 2006, the MAG Regional Council approved a Public Participation Plan to guide the MAG public input process. This enhanced plan incorporated many of the previously-adopted public involvement guidelines set forth by the Regional Council in 1994 and enhanced in 1998.

ACTION NEEDED:

Information and discussion.

PRIOR COMMITTEE ACTIONS:

None.

CONTACT PERSON:

Jason Stephens, MAG Public Involvement Planner, (602) 254-6300.

DRAFT

EARLY PHASE PUBLIC INPUT



 MARICOPA
ASSOCIATION of
GOVERNMENTS

FY 08

October 2007

OPPORTUNITY REPORT



Maricopa Association of Governments (MAG)

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Phoenix, Arizona 85003

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E-mail: jstephens@mag.maricopa.gov

Contact Person: Jason C. Stephens

Cover Page Photo:

MAG participates in many events throughout the year designed to gather input on transportation plans and programs. MAG also partners with the Arizona Department of Transportation (ADOT), Valley Metro (Regional Public Transportation Authority), and METRO (light rail) to ensure a cooperative public involvement process that provides Valley residents with a variety of opportunities for input prior to the approval of plans and programs.

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I. PUBLIC INVOLVEMENT PROCESS

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II. APPENDIX A: CORRESPONDENCE RECEIVED DURING THE CONTINUOUS INVOLVEMENT AND EARLY PHASE INPUT OPPORTUNITIES 11

EXECUTIVE SUMMARY

INTRODUCTION

Following in the tradition of its predecessor, the Transportation Equity Act for the 21st Century (TEA-21), new federal transportation guidelines contained within the Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU), continue to emphasize public involvement in the metropolitan transportation planning process. The intent of the public involvement provisions in SAFETEA-LU is to increase public awareness and involvement in transportation planning and programming. SAFETEA-LU requires that the metropolitan planning organization work cooperatively with the state department of transportation and the regional transit operator to provide citizens, affected public agencies, representatives of transportation agency employees, freight shippers, private providers of transportation, representatives of users of public transit, and other interested parties a reasonable opportunity to comment on proposed transportation plans and programs. The Maricopa Association of Governments (MAG) will continue to adhere to the federal requirements for public involvement, in addition to finding new ways of engaging Valley residents in the transportation planning and programming process.

The Early Phase Input Opportunity was conducted from August 17, 2007 through September 21, 2007. The Early Phase generally provides opportunity for initial input prior to the development of a draft listing of projects that will eventually make up the FY 2009-2013 Transportation Improvement Program (TIP), and input on any projects that may be included in the draft update of the Regional Transportation Plan. The input is then collected and entered into the Draft FY 2008 Early Phase Input Opportunity Report, which is presented to the MAG Management Committee and MAG Regional Council for review and consideration prior to action.

INPUT OPPORTUNITIES

Various forums for input were used prior to and during the FY 2008 Early Phase Input Opportunity. In addition to all of the committee meetings held during this phase, MAG also received comment during a variety of other events. On Thursday, August 16, 2007, MAG staffed a booth at the Independent Living Summit at the Airport Marriot Hotel. MAG staff answered questions and received comment on the Valley's transportation system. MAG was also able to distribute its *Frequently Asked Questions* document that was translated into Braille for blind attendees of the Summit. On Friday, August 17, 2007, MAG hosted its Early Phase Transportation Stakeholders Meeting. Staff from MAG, ADOT, Valley Metro and METRO were on hand to provide presentations, answer questions and receive comments. On Wednesday, August 29, 2007, MAG staffed a booth at the I-17 Construction Open House. MAG and ADOT staff were on hand to answer questions, provide information and receive

comments on the construction along I-17. On Friday, September 7, 2007, MAG staffed a booth at the National Federation of the Blind of Arizona Statewide Conference. MAG staff distributed information in Braille, answered questions and received comments on the Valley's transportation system. On Thursday, September 13, 2007, and Friday, September 14, 2007, MAG staffed a booth at the Hispanic Women's Conference. MAG staff was on hand to answer questions and respond to comments. Comments received during this time are included in the *Summary of Input* section on Page 3.

LOCATIONS

The Continuous Involvement and Early Phase public meetings and events were held to provide input opportunities for residents in the MAG region. The specific locations, dates and times are shown below. Meeting and event times were varied in an attempt to accommodate as many citizens as possible.

Independent Living Summit

Phoenix
Thursday, August 16, 2007
9:00 a.m. to 2:00 p.m.

National Federation for the Blind of Arizona Conference

Tempe
Friday, September 7, 2007
9:00 a.m. to 1:00 p.m.

Early Phase Transportation Stakeholders

Meeting

Phoenix
Friday, August 17, 2007
2:00 p.m.

Hispanic Women's Conference

Phoenix
Thursday, September 13 and Friday, September 14, 2007
9:00 a.m. to 3:00 p.m.

I-17 Construction Open House

Phoenix
Wednesday, August 29, 2007
6:00 p.m. to 8:00 p.m.

All of these public events were scheduled in venues that are transit accessible and comply with the provisions of the Americans with Disabilities Act. In addition, Spanish language materials, sign language interpretation and alternative materials such as large print and Braille, and FM/Infrared Listening Devices, were available upon request.

SUMMARY OF INPUT

Input gathered during the Early Phase Input Opportunity is included in the Early Phase Input Opportunity Report. A summary of the comments and questions received is listed below.

- ▶ Why is ADOT planning to build the South Mountain Freeway connector on Interstate 10, which conflicts with the future construction of the SR 801, I-10 Reliever?
- ▶ Why doesn't the Loop 303 connect with the Loop 101?
- ▶ METRO should consult the disability community when it comes to the accessibility of the new light rail.
- ▶ What is the status and average of the 801 corridor and what are the beginning and ending points?
- ▶ What is the status of commuter rail as part of the planning process?
- ▶ How are discussions going with Union Pacific on heavy rail from Phoenix to Buckeye?
- ▶ We need a elevated train as soon as possible.
- ▶ To build freeways properly, you need sufficient revenue.
- ▶ It is not good planning to add capacity to undersized freeway ramps by repainting from one lane to two lanes.
- ▶ There needs to be a policy that prevents engineers from underbuilding the freeways.
- ▶ ADOT's plan for the Grand Avenue intersection at the 303 is not a good solution and will cause more air pollution.
- ▶ The state and the region are far behind in transportation funding and it will take political will to capture the money necessary.
- ▶ Improvements on Bell Road from El Mirage Road to Loop 303 are needed desperately.
- ▶ We need to consider transit when talking about the I-10 acceleration.
- ▶ Innovations to move people rapidly is needed.
- ▶ The interchanges are built too small and create traffic congestion and more air pollution.
- ▶ Grade separated crossings increase efficiency and safety.
- ▶ You should take \$10 million in CMAQ money from the trolley (light rail) and put it toward the interest reimbursement for the I-10 widening.
- ▶ We need more transit service in the West Valley.
- ▶ The light rail should follow the freeway system.
- ▶ Light rail construction is really difficult to navigate through.
- ▶ When are they going to accelerate the I-10 freeway construction?
- ▶ Will there be a parallel road north and south along I-17?
- ▶ How long will the widening project along I-17 take?
- ▶ We need commuter rail between Phoenix and Tucson.
- ▶ When are the light rail extensions going to be added?
- ▶ Don't cut Dial-A-Ride service, it is too important.

I. PUBLIC INVOLVEMENT PROCESS

INTRODUCTION

The Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU) continues to emphasize public involvement in the metropolitan transportation planning process that existed under the Transportation Equity Act for the 21st Century (TEA-21). The intent of SAFETEA-LU is to increase public awareness and involvement in transportation planning and programming. SAFETEA-LU requires that the metropolitan planning organization work cooperatively with the state department of transportation and the regional transit operator to provide citizens, affected public agencies, representatives of transportation agency employees, freight shippers, private providers of transportation, representatives of users of public transit, and other interested parties a reasonable opportunity to comment on proposed transportation plans and programs.

In accordance with the enhanced SAFETEA-LU guidelines, in December 2006 the MAG Regional Council approved a Public Participation Plan to guide the MAG public input process. This enhanced plan incorporated many of the previously-adopted public involvement guidelines set forth by the Regional Council in 1994 and enhanced in 1998 (*see History of MAG Public Involvement Process, Page 6*). The MAG Public Participation Plan sets forth guidelines for receiving public opinion, comment and suggestions on transportation planning and programming in the MAG region. This process provides complete information on transportation plans, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement in the planning process.

The MAG process for public involvement receives public opinion in accordance with federal requirements, and provides opportunities for early and continuing involvement in the transportation planning and programming process.

The public involvement process is divided into four phases: Early Phase, Mid-Phase, Final Phase and continuous involvement. The Early Phase meetings ensure early involvement of the public in the development of these plans and programs. This year, the FY 2008 Early Phase Input Opportunity was conducted from August through September, 2007. The purpose of this document, the *FY 2008 Early Phase Input Opportunity Report*, is to provide information about the outreach conducted during this early phase and to summarize the results of the input received.

The Mid-Phase process provides for input on initial plan analysis for the Draft TIP and Draft Plan, and includes a public hearing on regional transportation issues. The Mid-Phase is usually conducted from February through April. The results of the Mid-Phase Input Opportunity will be included in the *FY 2008 Mid-Phase Input Opportunity Report* (April 2008).

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The Final Phase provides an opportunity for final comment on the TIP, Plan and Air Quality Conformity Analysis, and generally occurs upon the completion of the air quality conformity analysis in the summer. The results of the Final Phase Input Opportunity will be included in the *FY 2008 Final Phase Input Opportunity Report* (July 2008). In addition, continuous outreach is conducted throughout the annual update process and includes activities such as presentations to community and civic groups, distributing press releases and newsletters, and coordinating with the Citizens Transportation Oversight Committee (CTOC).

HISTORY OF MAG PUBLIC OUTREACH PROCESS

Since its inception in 1967, the Maricopa Association of Governments (MAG) has encouraged public comment in the planning and programming process. In July 1998, the MAG Regional Council recommended that the process for programming federal transportation funds be enhanced. These enhancements include a more proactive community outreach process and the development of early guidelines to help select transportation projects within resource limits. The proactive community outreach process led to an enhanced public involvement process beginning with the FY 1999 Public Involvement Program. The enhanced public involvement process involves transportation stakeholders as outlined in TEA-21 and includes input from Title VI stakeholders (minority and low income populations). The input received during the enhanced input opportunity has been incorporated in the development of early guidelines to guide project selection for the TIP and Plan.

Additional changes in planning and programming responsibilities were prompted by the passage of TEA-21. As a result, ADOT hosted a meeting of regional planning organizations to suggest changes that would benefit the planning and programming process throughout Arizona. The meeting was held in Casa Grande in April, 1999 and was attended by representatives of Metropolitan Planning Organizations, Councils of Governments, ADOT and Valley Metro. All participants agreed to several guiding principles to help develop and integrate state and regional transportation plans and programs. In the past, development of the MAG TIP, MAG Long Range Plan, Surface Transportation Program (STP) and State Transportation Improvement Program (SHIP) were on different schedules—which was confusing to members of the public. With changes included in the guiding principles adopted at the April meeting, the state and regional planning and programming processes have been combined. (See Page 7.)

In December 2006, the MAG Regional Council approved a Public Participation Plan to guide the MAG public input process in accordance with new SAFETEA-LU guidelines for metropolitan transportation planning. The plan was advertised for 45-days prior to approval and was developed with all interested parties as defined in the SAFETEA-LU guidelines. The plan retains all of the previous opportunities for input and incorporates SAFETEA-LU's suggested improvements, such as an increased emphasis on visual aids and utilization of the World Wide Web.

Multimodal Regional Planning Process

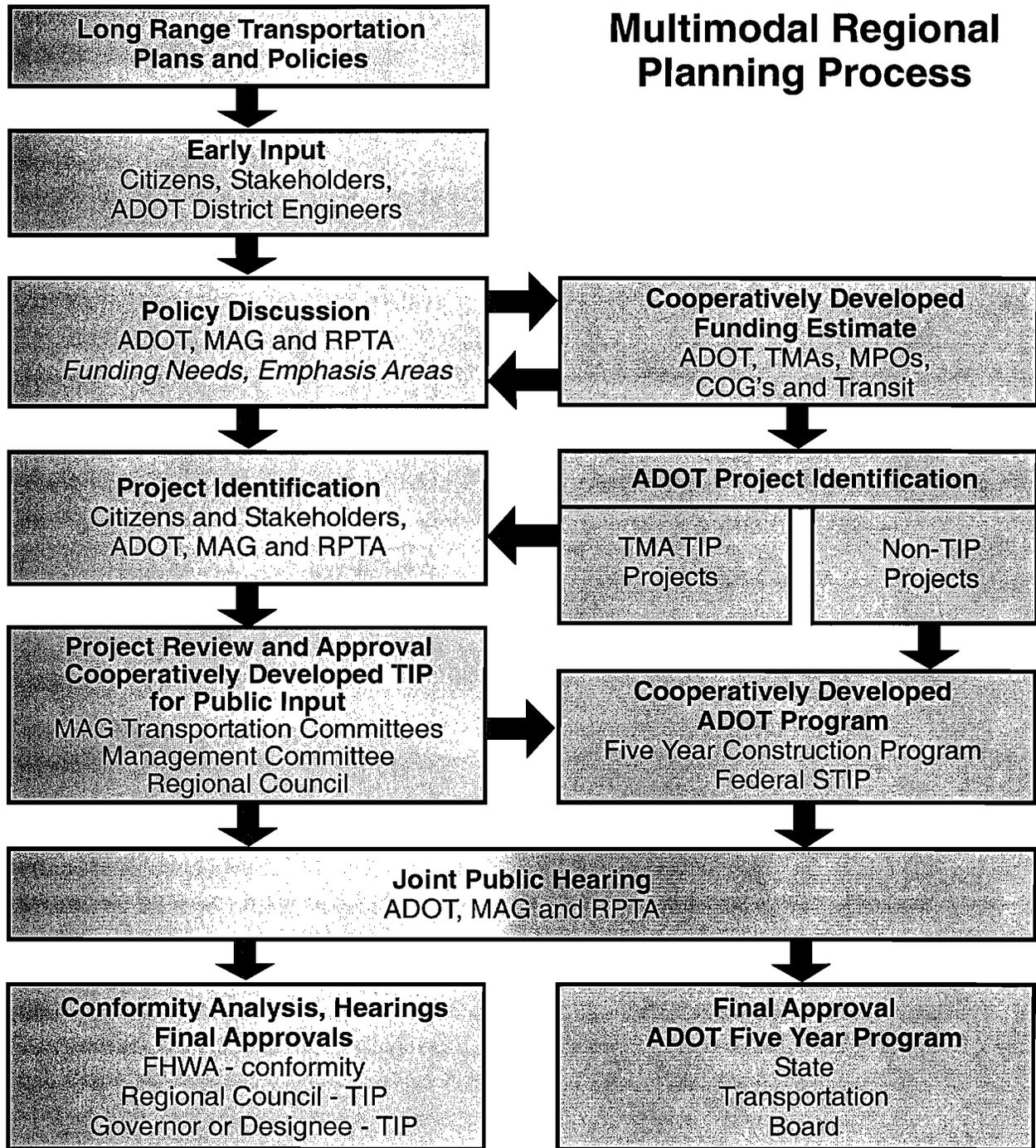


Table 1: Development Process for ADOT Five-Year Program, MAG TIP, MAG RTP, and ADOT Life Cycle Program (Joint Planning Process)

- * **TMA:** Transportation Management Area
- * **FHWA:** Federal Highway Administration
- * **RPTA:** Regional Public Transportation Authority
- * **COG:** Council of Governments
- * **MPO:** Metropolitan Planning Organization

**Guiding Principles
New Arizona Transportation Planning and Programming Process
Casa Grande Resolves**

- ◆ One multimodal transportation planning process for each region that is seamless to the public; includes early and regular dialogue and interaction at the state and regional level; and recognizes the needs of state, local and tribal governments, and regional organizations.
- ◆ Process that encourages early and frequent public participation and stakeholder involvement and that meets the requirements of TEA-21 and other state and federal planning requirements.
- ◆ The policy and transportation objectives of the state, regional and local plans will form the foundation of the Statewide Long Range Transportation Plan.
- ◆ The Statewide Transportation Plan and Programs will be based on clearly defined and agreed to information and assumptions including the resources available, performance measures, and other technical information.
- ◆ Each project programmed shall be linked to the Statewide Long Range Transportation Plan with each project selected to achieve one or more of the Plan objectives, and the program represents an equitable allocation of resources.
- ◆ Implementation of the Plan and Program shall be monitored using a common database of regularly updated program information and allocations.
- ◆ There is a shared responsibility by state, local and tribal governments, and regional organizations to ensure that Plan and Program implementation meet the transportation needs of the people of Arizona.

Table 2: Casa Grande Resolves

PUBLICITY

The public was informed of Early Phase public involvement events through a variety of methods. The Early Phase Transportation Stakeholders meeting was announced with a targeted mailing to the MAG public involvement/stakeholders mail list of more than 400 individuals. MAG also participated in several events such as the I-17 Construction Open House, Hispanic Women's Conference, National Federation for the Blind statewide conference and the Independent Living Summit, some of which were advertised on major television networks and announced in *The Arizona Republic*, *Arizona Informant* and *Prensa Hispana*.

CONTINUOUS INVOLVEMENT

As part of the continuous outreach process, MAG staff has participated in a number of events since the completion of the FY 2007 Final Phase Input Opportunity. Activities included:

- ◆ Small group presentations, participation in special events and providing information to residents via e-mail, telephone and one-on-one consultations.
- ◆ MAG membership and involvement with several civic organizations in the region, including the Phoenix Chamber of Commerce, Valley Forward, Hispanic Chamber of Commerce, Hispanic Community Forum, Latino Institute and the League of United Latin American Citizens (LULAC).
- ◆ Continued consideration of input received by the MAG Human Services Planning Program in its public outreach process.
- ◆ Continued community outreach to Title VI/Environmental Justice populations, utilizing the MAG Community Outreach Specialist and MAG Disability Outreach Associate.
- ◆ Continued involvement with the Citizens Transportation Oversight Committee (CTOC).
- ◆ Partnership in numerous joint special events including MAG, ADOT, Valley Metro, and METRO.
- ◆ Monthly e-mail updates summarizing the activities and actions of the Transportation Policy Committee.

Additional outreach activities included updating the MAG Web site at www.mag.maricopa.gov. The site provides information on MAG committees and issues of regional importance, as well as access to electronic documents and links to member agencies. The site also provides a Spanish language link. Visitors to the site may provide feedback through various project pages. Staff contact information is provided for specific projects. Users may also send comments or questions via e-mail to mag@mag.maricopa.gov. In addition, each quarter MAG distributes a newsletter, *MAGAZine*, which includes information about MAG activities and the issues and concerns of the cities, towns and tribal communities that make up its membership. Ongoing coordination with ADOT, Valley Metro, METRO and CTOC has also led to enhancements to the public involvement process.

**II. APPENDIX A.
CORRESPONDENCE RECEIVED DURING THE
CONTINUOUS INVOLVEMENT AND EARLY PHASE
INPUT OPPORTUNITIES**

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Thursday, August 02, 2007 7:26 AM
To: Jason Stephens
Cc: Jochim1@aol.com
Subject: CANAMEX

Jayson,

On page 16 of the DRAFT FY 2007 FINAL PHASE INPUT OPPORTUNITY REPORT there is a response to Stephen Brittle's public comments on the CANAMEX corridor. It is as follows and I quote: "**The resolution for the CANAMEX corridor did not include the South Mountain Freeway**".

I would like to know with as much specificity as possible how the various transportation agencies that have overarching responsibility for freeway design and planning intent to prevent CANAMEX traffic from being on the proposed South Mountain Freeway. From my pragmatic perspective if the SMF is built the truckers will use it because it is a shorter route with a lot more amenities.

Please call me on 480-460-2535 if you have any questions on this request.

Sincerely,

Jim Jochim

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Thursday, August 02, 2007 11:30 AM
To: Jason Stephens
Cc: Jochim1@aol.com; Jim Jochim
Subject: Two data validation questions

Jayson,

What are the current budgeted costs that MAG & ADOT are using for planning purposed for the construction of the proposed South Mountain Freeway on Pecos Road?

In the DRAFT FY 2007 FINAL PHASE INPUT OPPORTUNITY REPORT on page 14 it states the following and I quote: "**Construction of the South Mountain freeway would result in an approximate seven percent reduction in traffic on I-10 at the Broadway Curve when compared to not building the freeway**". Please verify that seven percent is still a valid number from the leadership teams that our doing the planning.

Thanks,

Jim Jochim (a citizen)

Jason Stephens

From: Dianne Barker [dteam11@yahoo.com]
Sent: Thursday, August 02, 2007 5:11 PM
To: Jason Stephens
Subject: 2-RE: Final-Phase Hearing & MAG's " Proactive" Citizen Process

Thank you.

--- Jason Stephens <jstephens@mag.maricopa.gov> wrote:

> DD -
> The date for the Early Phase Stakeholder's meeting is Friday, August
> 17, 2007. There will be an open house from 1:30 to 2 p.m. The meeting
> begins at 2 p.m. This is the earliest point at which you can input
> into the new TIP and Plan update process. You've been mailed a letter
> and agenda for this meeting and should receive it in a couple of days.
> Jason
>
> -----Original Message-----
> From: Dianne Barker [mailto:dteam11@yahoo.com]
> Sent: Friday, July 27, 2007 10:39 AM
> To: Jason Stephens
> Subject: Final-Phase Hearing & MAG's " Proactive"
> Citizen Process
>
> Mr. Stephens-_
>
> The public hearing matters very much to me so not to miss. ant to me,
> This document is transcribed and sent to other governmental
> transportation/ authorities. You know I convey no receipt of your card
> notice. P ease answer my question (s) as I see are essentially being
> overlooked in previous email as follows:
>
> 1- "How can you do to ensure reasonable citizen participation at
> hearings and all you do, Jason ?
>
>
> 2- So 1% persons came from your efforts, but six persons spoke. How
> many were citizens attending/speaking and how many were staff/public
> employees ?
>
> 3- Knowing I did not receive notice by mail for the June 18th
> important hearing, how do you expect to be "proactive" and to ENSURE
> Il will be sufficiently informed to participate per " Early Phase
> Stakeholders Meeting in August. Draft 2009-2013 TIP being you still
> are contacting me by mail as you say ". You will be sent a letter and
> agenda" ? Such past circumstances of failed mailing makes no sense
> herein as how can I even know to contact you in August and for what
> purpose without notice Doing the same thing over and expecting
> different results correct nothing, does it Jason.
>
> --- Jason Stephens <jstephens@mag.maricopa.gov>
> wrote:
>
> > DD -
> > Actually, 30 people attended the hearing and six
> > people spoke. Of the
> > people that attended, all were notified by
> > postcard, saw the display
> > ads in the paper or were made aware through word
> > of mouth. As I
> > stated, the public hearing is just one component
> > of a public input

> > process. We offer many different avenues for
> Valley residents to
> > provide comment.
> > Thank you,
> > Jason
> >
> >
> > -----Original Message-----
> > From: Dianne Barker [mailto:dteam11@yahoo.com]
> > Sent: Thursday, July 26, 2007 5:48 PM
> > To: Jason Stephens
> > Subject: 3-RE:
> >
>
> www.mag.maricopa.gov/pdf/cms.resource/COMM_2007_Final-Phase-Report35627.
> > pdf
> >
> > So you mail out cards for approximately 3,000
> people on the mail
> > list ? Only four persons came to the hearing on
> June 18th ? It is
> > reasonable to inquire about what from what source
> MAG attributes to
> > acquiring those few at the hearing?.
> >
> > It's common knowledge in business that only 5%
> persons respond to
> > marketed mailings anyway so the cost for the
> mailing is exorbitant
> > without a follow-up which usually is a telephone
> call to get response
> > and action. It is called "working" a lead to get
> results...production.
> > In government, the reason is the opportunity to
> serve the citizens and
>
> > taxpayers. MAG professes a proactive public
> process so it appears to
> > me that such working is also applicable, don't
> you think?
> >
> > Certainly , calling, emailing, etc "regulars" at
> > MAG
> > could be a start past snail mail such as you say
> the post office can
> > fail, don't you think. Relying of persons to find
> your notice in
> > publications or to even seek in on MAG's website
> is reactive to
> > advertisements that can be unavailable and easily
> overlooked by many
> > who do not subscribe and/or have busy lifestyles.
> What will MAG do to
> > be evermore "proactive" to overcome the problems
> just described,
> > Jason.
> > Thank you for the bit of news of the August
> stakeholders, yet it
> > remains a tease as I still don't have sufficient
> information for it
> > to be prepared to participate or even the date to
> plan to attend. You
>
> > have notified me I may comment and MAG will
> answer, yet I need to be
> > informed to participate,,,the timely facts. How
> can you do to ensure

> > reasonable citizen participation at hearings and
> all you do, Jason ?
> >
> >
> >
> >
> > --- Jason Stephens <jstephens@mag.maricopa.gov>
> > wrote:
> >
> > > DD -
> > >
> > > The public hearing isn't the only mechanism by
> > which we receive public
> >
> > > comment, it is just one component of the
> process.
> > We also take comment
> >
> > > at all policy committee meetings during the
> phase
> > and attend large
> > special events where we interact with hundreds
> of
> > people, share
> > > information and respond to comments if provided.
> > >
> > > For the public hearing, we placed display
> > advertisements in the
> > > Arizona Republic, Arizona Informant and Prensa
> > Hispana and mailed out
> > > a notice to everyone on our public involvement
> > mail list. As I've
> > > stated before, we have the correct address for
> > you. It would not be
> > > feasible to call the approximately 3,000 people
> on
> > the mail list and
> > > notify them of a public
> > meeting/hearing/presentation. If you cannot
> > > make a meeting, we are more than happy to take
> > your comments via
> > > telephone, e-mail or in letter form - as we have
> > in the past. We make
> > > every effort to ensure that we provide Valley
> > residents with a variety
> >
> > > of opportunities to input in any number of ways.
> > >
> > > Hopefully this brings some clarity for you on
> this
> > issue.
> > >
> > > I do want to let you know that we will be
> hosting
> > an Early Phase
> > > Stakeholders Meeting in August. It will be the
> > earliest opportunity
> > > for Valley residents to provide input on
> possible
> > projects for the
> > > Draft
>
=== message truncated ===

Dianne Barker, US Citizen

Phoenix, AZ
dteam11@yahoo.com
(602) 999-4448

Choose the right car based on your needs. Check out Yahoo! Autos new Car Finder tool.
<http://autos.yahoo.com/carfinder/>

Jason Stephens

From: mag@theshortestpath.com
Sent: Tuesday, August 07, 2007 7:31 AM
To: Jason Stephens
Subject: Feedback Received

Feedback received from 'Mariana Schaffer'
Email Address : 'schaffermm@wbhsi.net'
Subject : 'bike ways map'
Page : '/maps.cms'
Feedback :
'When will your next updated bike ways map be published?'

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Tuesday, August 07, 2007 9:54 AM
To: Jason Stephens
Cc: Lindy Bauer
Subject: FY 2007 Final Phase Draft Input Report

Jayson,

Thanks for getting the typo corrected on page 18 of the above report. As we discussed it was in the draft a "low" and it should have been 10. Unfortunately one of your team members missed it on page three--so the original error carried forward to the "Summary of Input"--which a lot of individuals utilize for a quick read.

Call when your schedule permits so we can discuss the various open questions I have pending based on the above report. I can be reached on 480-460-2535.

Sincerely,

Jim Jochim

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Wednesday, August 08, 2007 9:34 AM
To: Jason Stephens
Cc: Lindy Bauer; Jochim1@aol.com; Jim Jochim
Subject: Data needed

Jason,

On page 14 of the FY 2007 FINAL PHASE INPUT OPPORTUNITY REPORT under the section: South Mountain Freeway Traffic it states in the last bullet point the following:

Additionally, construction of the South Mountain Freeway reduces traffic on the surrounding arterial street network."

I need more data on the above statement as from my perspective it will increase the traffic on the surrounding arterial streets and here is why:

Currently Pecos Road has five access points from Chandler Blvd: 40th St, 32nd St, 24th St., Desert Foothills Parkway and 17th Av. If the proposed SMF is built we will lose the 32nd St. access point. So we go from five to four access points from Chandler Blvd. and that means all of the traffic that used 32nd St will now have to use Chandler Blvd. to get to Pecos Rd. either by 24th St or 40th St. Plus a number of the DVHS students will now use Liberty Lane to get to school because they can't exit on 32nd St from Pecos Road.

I look forward to seeing the data on how the proposed SMF will reduce traffic on the arterial street network.

Sincerely,

Jim Jochim

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Thursday, August 09, 2007 2:53 PM
To: Timothy Tait
Cc: Jason Stephens; Lindy Bauer; Jim Jochim
Subject: A procedural question

Tim,

I attended the MAG "Final Phase Transportation Public Hearing" meeting on June 18, 2007 and submitted a written question to Lindy Bauer (Chair) for evaluation. My question was answered on page 18 of the report. Since that time I have submitted a number of other questions to Jason Stephens (at the request of Lindy Bauer) on various topics some directly relating to the FY 2007 Final Phase Input Opportunity Report and some outside of the document.

Now here is the "procedural question"-- on a going forward basis should these matters be directed to you or to Jason Stephens? I am neutral as to whom they are addressed to as all I need is a reply in a timely manner. As time permits please let me know the current protocol between ADOT & MAG on the SMF correspondence.

Thanks,

Jim Jochim

Jason Stephens

From: Timothy Tait [TTait@azdot.gov]
Sent: Thursday, August 09, 2007 3:31 PM
To: Jim Jochim
Cc: Jason Stephens; Lindy Bauer
Subject: RE: A procedural question

Jim,

If your inquiry or comment is directed at MAG's regional studies and planning, I believe it would be appropriate to direct comment to them. However, all comments/inquiries about the South Mountain EIS, construction phasing (if a build alternative is selected), alignment, potential impacts, etc., should be directed to the ADOT study team. In some cases, it might be appropriate to transmit your comments to both groups.

Does this help?

Timothy Tait

Arizona Department of Transportation
Communication and Community Partnerships
desk 602.712.7070 :: cell 602.501.5038
www.azdot.gov/ValleyFreeways

From: Jim Jochim [mailto:jochim1@cox.net]
Sent: Thursday, August 09, 2007 2:53 PM
To: Timothy Tait
Cc: Jason Stephens; Lindy Bauer; Jim Jochim
Subject: A procedural question

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Thanks,

Jim Jochim

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9/19/2007

Jason Stephens

From: Dianne Barker [dteam11@yahoo.com]
Sent: Thursday, August 09, 2007 5:47 PM
To: Eric Anderson
Cc: Dennis Smith; Jason Stephens; Bill Hayden; bobmcknight@cox.net; TMCMRyan@aol.com
Subject: 3-Question ---: Your attachments & more

Hello Eric, yes. I see you have given me attachments on laws, even the the RPTA cite for necessary financial responsibility.

The truth is that CTOC failed to proactively procure any financials from RPTA for it's necessary auditing nor even even the simple "report" on annual 2006 report for freeways substituted by " sampling, an agreed upon procedures" .

As far as MAG responsibilities per CTOC, again regarding (Statute : 28 -6358 , where is MAG's recommendations part (1) and proactive participation part (2) as can be performed ? ~ Dianne

a. Regional planning agency responsibilities :

Consistent with the regional planning agency's responsibilities as prescribed in this chapter, the regional planning agency shall:

> >
> > 1. Approve, disapprove or modify the citizens
> transportation oversight
>
> > committee's recommendations on the five year
> construction program and
> > the life cycle management program for the regional
> freeway system.
> >
> > 2. Respond to any complaint and approve,
> disapprove or modify
> > recommendations regarding a complaint forwarded to
> it by the citizens
> > transportation oversight committee within ninety
> days after the
> > citizens transportation oversight committee
> forwards a complaint to
> > the regional planning agency.
> >
> > So when CTOC does not include a public transit

--- Eric Anderson <eanderson@mag.maricopa.gov> wrote:

> Dianne,
> CTOC has the ability to make comments and recommendations to MAG. If
> CTOC does so, then the comments or recommendations made to MAG will do
> its duty according to the law. I don't see anywhere in state law that
> says that CTOC is required to adopt a budgeting process for public
> transit - that is the responsibility of RPTA.

>
>
> Eric J. Anderson
> Transportation Director
> Maricopa Association of Governments
> Office: (602) 254-6300
> Fax: (602) 254-6490
> Email: eanderson@mag.maricopa.gov

>
>
>

> -----Original Message-----
> From: Dianne Barker [mailto:dteam11@yahoo.com]
> Sent: Thursday, August 09, 2007 10:56 AM
> To: Eric Anderson
> Cc: Dennis Smith; Kelly Taft; Bill Hayden; bobmcknight@cox.net;
> TCMRyan@aol.com; dteam11@yahoo.com
> Subject: Question Resubmit to MAG Officials ---:
> Your attachments & more
>
> Eric -
>
> "So when CTOC does not include a public transit budget process then
> how can MAG do it's duty per(1) and how will MAG ever reply to the
> citizens when it is known that no citizen recommendation has ever been
> given by CTOC Chairman to MAG per (2) ?"
>
>
> Dianne
>
>
> BACKGROUND:
>
>
> --- Dianne Barker <dteam11@yahoo.com> wrote:
>
> > Eric
> >
> > The bottom line I'm seeking is MAG,ADOT and CTOC
> > being multimodal and
> > caring for all modes in budget and audit for Prop
> > 400 funded by RARF ;
>
> > 2/3rd roads and
> > 1/3 transit. Perhaps this should require
> > certification as ADOT
> > performs by life cycle budget process , ARS
> > 6852 (A),. however, what are the certification
> > standards employed by
> > ADOT ? I could not ascertain this on July 6th,
> > 2007 at Bill's
> > offices.
> >
> > Per my previous question per ARS 6308(C)((1)c),
> > your provided RPTA's
> > statutory duty is at 48-5106 for Budget process:
> >
> > The board shall adopt a budget process that
> > ensures that the estimated
> >
> > cost of the regional public transportation system,
> > including
> > corridors, corridor segments and bus purchase and
> > operating costs,
> > does not exceed the total amount of revenues
> > estimated to be available
> >
> > for the regional public transportation system.
> > Nevertheless, where is
> >
> > this being referenced with MAG?
> >
> > Certainly it was not in CTOC's 2006 annual report
> > nor any audit,
> > sampling or "ALL" expenditures per legislature of
> > RARF.CTOC ARS
> > 6356(F(5)) or "Mr.
> > Rudolphy further advised that a compliance audit

> does not include
> > financial amounts per "CTOC p4 1999.
> > Even ADOT's responsibility at 28 367 & 28-506 for
> public transit
> > inclusion in ADOT's/MAG's plan and their actual
> accounting appears to
> > leave out transit.Perhaps this is because of the
> historical
> > pre-occupation on "freeways", truly an oxymoron
> as always some one
> > pays.
> >
> > Finally, definitely, MAG has responsibility to the
> people under state
> > statute : 28 -6358 . Regional planning agency
> responsibilities
> >
> > Consistent with the regional planning agency's
> responsibilities as
> > prescribed in this chapter, the regional planning
> agency shall:
> >
> > 1. Approve, disapprove or modify the citizens
> transportation oversight
>
> > committee's recommendations on the five year
> construction program and
> > the life cycle management program for the regional
> freeway system.
> >
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> > recommendations regarding a complaint forwarded to
> it by the citizens
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> days after the
> > citizens transportation oversight committee
> forwards a complaint to
> > the regional planning agency.
> >
> > So when CTOC does not include a public transit
> budget process then how
>
> > can MAG do it's duty per(1) and how will MAG ever
> reply to the
> > citizens when it is known that no citizen
> recommendation has ever been
>
> > given by CTOC Chairman to MAG per (2) ?
> >
> > Dianne
> >
> >
> >
> >
> >
> > -- Eric Anderson <eanderson@mag.maricopa.gov>
> wrote:
> >
> > > Dianne, Here is the email with the attachments.
> > >
> > > Dianne,
> > >
> > > To restate your question:
> > > "Where is MAG's life cycle certification Prop
> > > 400 for per ARS
> > > 28-6308 9

> > > (C) ?"
> > >
> > > I have attached this section of state law for
> reference purposes. I
>
> > > cannot find any reference to the 28-6308 9 (C)
> in the law. Please
> > > check to make sure we are discussing the right
> section.
> >
> > >
> > > Also, I find no mention on any requirement for a
> certification.
> > > There is reference to a budgeting process in
> 28-6352.
> > > This article has two
> > > subsections: Subsection A requires ADOT to adopt
> a budgeting process
>
> > > (life cycle) for the component of the Regional
> Transportation Plan,
> > > specifically, 28-6308, Subsection C, paragraph
> 1, subparagraph (a).
> > > This refers to freeways and other routes in the
> state highway
> > > system.
> > > Subsection B requires the same of MAG but for
> specifically for
> > > 28-6308, Subsection C, paragraph 1, subparagraph
> (b). There is no
> > > requirement for a certification. Also note that
> ARS 48-5106
> > > requires RPTA to develop a budget process
> specifically for 28-6308,
> > Subsection
> > > C, paragraph 1,
> > > subparagraph (c). Again there is no requirement
> > for
> > > a certification.
> > >
> > > Eric J. Anderson
> > > Transportation Director
>
=== message truncated ===

Dianne Barker, US Citizen
Phoenix, AZ
dteam11@yahoo.com
(602) 999-4448

Boardwalk for \$500? In 2007? Ha! Play Monopoly Here and Now (it's updated for today's economy) at Yahoo! Games.
<http://get.games.yahoo.com/proddesc?gamekey=monopolyherenow>

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Friday, August 10, 2007 5:15 AM
To: Timothy Tait
Cc: Jason Stephens; Lindy Bauer
Subject: Re: A procedural question

Tim,

Thanks for the response.

Yes it helps some-- but I truly don't understand the line of demarcation line between the entities because in the FY 2007 Final Phase Input Opportunity Report there are a number of references to the SMF. On a going forward basis I will expand my distribution list to ensure that both MAG & ADOT are covered. I am neutral as to which agency responses as all I need is timely feedback.

Under separate e-mails I will send you a copy of the various questions that I have submitted that are WIP.

Have a good day.

Jim

----- Original Message -----

From: Timothy Tait
To: Jim Jochim
Cc: Jason Stephens ; Lindy Bauer
Sent: Thursday, August 09, 2007 3:30 PM
Subject: RE: A procedural question

Jim,

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Does this help?

Timothy Tait

Arizona Department of Transportation
Communication and Community Partnerships
desk 602.712.7070 :: cell 602.501.5038
www.azdot.gov/ValleyFreeways

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9/19/2007

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Thanks,
Jim Jochim

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Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Friday, August 10, 2007 2:01 PM
To: Eric Anderson
Cc: Lindy Bauer; Timothy Tait; Kelly Taft; Jason Stephens; Jim Jochim
Subject: Re: A procedural question

Mr. Eric J. Anderson,

Thank you for the detailed reply--it is appreciated. I will be in attendance at the August 17, 2007 EARLY PHASE TRANSPORTATION STAKEHOLDERS MEETING as I want to observe first-hand the start of the DMP (Decision Making Process) by the various agencies that have responsibilities for transportation projects within Maricopa County.

Sincerely,

Jim Jochim (a citizen)
1231 E. Desert Flower Lane
Phoenix,AZ 85048
T# 480-460-2535
Fax# 480-460-2898

----- Original Message -----

From: Eric Anderson
To: jochim1@cox.net
Cc: Lindy Bauer ; Timothy Tait ; Kelly Taft ; Jason Stephens
Sent: Friday, August 10, 2007 10:29 AM
Subject: RE: A procedural question

Mr. Jochim,

The input opportunities that we have during our planning process are open to whatever comments that the public wishes to provide, however, the primary purpose of these opportunities is to solicit public comment on the MAG five-year Transportation Improvement Program (TIP), the MAG Regional Transportation Plan (RTP), and the related air quality conformity analysis that was conducted with regard to the TIP and RTP.

Questions related to whether a particular freeway should or should not be included in the plan, areas that the public thinks needs more or less attention, policy-related issues, and these sorts of overall questions are addressed through the MAG planning process. Specific questions or concerns related to a particular planned facility in terms of design, environmental, and mitigation are best addressed through the Environment Impact Statement process.

MAG is always open for any kind of questions. If a question, however, is better answered through the ADOT process, we will say so and forward the question to the appropriate ADOT representative. We also try to track these questions to make sure they are answered in a timely fashion.

If you would like to copy both ADOT and MAG on you questions, we can then sort out which agency the appropriate one to respond.

Eric J. Anderson
Transportation Director
Maricopa Association of Governments

9/19/2007

Office: (602) 254-6300
Fax: (602) 254-6490
Email: eanderson@mag.maricopa.gov

From: Lindy Bauer
Sent: Friday, August 10, 2007 10:10 AM
To: Eric Anderson
Subject: FW: A procedural question

From: Jim Jochim [mailto:jochim1@cox.net]
Sent: Friday, August 10, 2007 5:15 AM
To: Timothy Tait
Cc: Jason Stephens; Lindy Bauer
Subject: Re: A procedural question

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Jim

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Cc: Jason Stephens ; Lindy Bauer
Sent: Thursday, August 09, 2007 3:30 PM
Subject: RE: A procedural question

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Does this help?

Timothy Tait
Arizona Department of Transportation
Communication and Community Partnerships
desk 602.712.7070 :: cell 602.501.5038
www.azdot.gov/ValleyFreeways

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Sent: Thursday, August 09, 2007 2:53 PM
To: Timothy Tait

Cc: Jason Stephens; Lindy Bauer; Jim Jochim

Subject: A procedural question

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Thanks,

Jim Jochim

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Jason Stephens

From: mag@theshortestpath.com
Sent: Sunday, August 12, 2007 6:13 PM
To: Jason Stephens
Subject: Feedback Received

Feedback received from 'Beverly Moore'

Email Address : 'bjane37@cox.net'

Subject : 'Marie Lopez Rogers/Public Records'

Page : '/committees.cms'

Feedback :

'Would you please tell me how many meetings that Marie Lopez Rogers has attended since 2000.

She is listed on the 'Domestic Violence' committee and the 'Human Services Co-ordinating' council.

I am doing some follow up on her biography.

Thanking you in advance,
Beverly Moore'

Jason Stephens

From: Eric Anderson
Sent: Monday, August 13, 2007 8:31 AM
To: 'Jim Jochim'
Cc: Jochim1@aol.com; Lindy Bauer; Kelly Taft; Jason Stephens
Subject: RE: Clarification needed

Mr. Jochim,

It is an annual process that we use. We do an annual update of the Regional Transportation Plan (RTP) and the five-year Transportation Improvement Program (TIP). We do this to ensure that the RTP and TIP reflect the latest funding and priorities for the region.

Eric J. Anderson
Transportation Director
Maricopa Association of Governments
Office: (602) 254-6300
Fax: (602) 254-6490
Email: eanderson@mag.maricopa.gov

From: Jim Jochim [mailto:jochim1@cox.net]
Sent: Saturday, August 11, 2007 8:07 AM
To: Eric Anderson
Cc: Jochim1@aol.com; Jim Jochim; Lindy Bauer
Subject: Clarification needed

Mr. Anderson

Eric,

What is the difference between the EARLY PHASE TRANSPORTATION STAKEHOLDERS MEETING that is scheduled for Friday, August 17, 2007 and the ones that were held in the August through October, 2006 time frame? Or is this an annual updating process?

Thanks,

Jim Jochim
1231 E. Desert Flower Lane
Phoenix, AZ 85048
T# 480-460-2535
Fax # 480-460-2898

9/19/2007

Jason Stephens

From: mag@theshortestpath.com
Sent: Tuesday, August 14, 2007 3:13 PM
To: Jason Stephens
Subject: Feedback Received

Feedback received from 'Morgen Baldwin'

Email Address : 'baldwinmt@shaw.ca'

Subject : 'Resource Guide'

Page : '/detail.cms?item=1983'

Feedback :

'I am trying to download the resource guide "the workplace responds to domestic violence" but am getting a message that says the file is damaged so can't be downloaded. Would love to get a copy of this resource! thanks, Morgen'

Jason Stephens

From: Dianne Barker [dteam11@yahoo.com]
Sent: Wednesday, August 15, 2007 11:06 AM
To: Jason Stephens
Subject: Jason, my address is on this letter -----Dianne Barker"s Response to CHRM. Arnett, CTOC

Attachments: pat652794867; pat635672803; pat783234110; pat2009352708



.pdf (110 KB) Sky Harbor Sky Harbor Deloitte_FTANE
etter.pdf (48 KB) Fax.pdf (98 KB) tart#25690C.pdf

August 14, 2007

Rockne F. Arnett, Chairman
Citizens Transportation Oversight Committee, "CTOC"
206 South 17th Avenue
Room 105-MD 179-A
Phoenix, Arizona 85007

Re: Requesting CTOC's Action

Re: Dear Mr. Arnett:

Per your attached letter, I am responding in request for CTOC's continuous inquiry and per your directions I provide evidence for such support to all authorities.

First of all, Phoenix Sky Harbor's aviation letter dated May 31st 2007, attached, is flat admission of "expenditures it has made" on Regional Transportation Plan "RTP". Therefore, any assuming by counsel that the Federal Government Inspector "OIG" General's complaint is closed is speculative, mere assumption and unreliable. (1)

Second, a fax attached from 'Phoenix Aviation Department, itself, is positive evidence that the Phoenix share was for " the line segment running through the airport " . However, it is common knowledge that the local, twenty (20) mile Phoenix light rail trolley, a part of RTP, definitely DOES NOT run through Sky Harbor airport. Moreover, review of the Airport Revenues list on this fax shows payment(s) to Carter Burgess in 1997, the time of the trolley Major Investment Study, "MIS", contracted by City of Phoenix Ex-Deputy Manager, Jack Tevlin.

Furthermore, it is certain that your letter needs correcting when you are citing a " Management Information Study" when the inquiry is per a Major Investment Study "MIS". Also, it is difficult to understand how you may have concluded that Phoenix Sky Harbor got "CMAQ funds from the City of Phoenix" because CMAQ funds are Federal Highway 'FHWA" dollars for air quality projects for roads or are FHWA conversions via FTA or MAG for transit projects. Our county tax that funds CTOC "RARF" for the MAG RTP does need air quality conformity and includes MAG's planned light rail trolley passing by Phoenix Sky Harbor Airport (2).

Actually, I believe I have abundantly pointed in my submittal to you that FTA 5309 discretionary funds for "New Starts" light rail were obtained by Congressman Ed Pastor. This was so noted in City Council by ex-Mayor Rimsza as being \$10 million for this area. It is understood these funds came via Phoenix Sky Harbor along with FAA TRACON monies in total of \$25 Million, YR 2000. In that same year, as the fax attachment evidences, two (2) payments were to RPTA for \$200,000 each. It is understood Carter Burgess received these monies from RPTA as late payment for it's alternative analysis, 'LPA". This LPA chosen then was mode :
electric light rail trolley "streetcar .My point is alternative analysis is not to be paid by 5309 monies.
Therefore, certainly, Phoenix Sky Harbor and all authorities surely can further fully cooperate with monetary tracking and, "auditing of all relative transportation funds, don't

you agree, Roc ?

Certainly, the City of Phoenix FTA Grant recipient and as member of Federal COG- MAG under the federal rules should have the citizenry greatly involved in the selection of choice of travel modes, specifically the LPA. Unfortunately, too often we find government operation not at "arms length"- all too political and special interest, not necessarily by and for the people. We must be ever mindful of what happened to Arthur Anderson wearing both hats- adviser and auditor. We should be vigilant and promote oversight, vigorous competition and complete fairness. Today, we have Deloitte Touche advising the federal government on New Starts reform of process revealed by the final attached file.. It appears they are recommending shortening the LPA period. This period should be actually be lengthened, strengthened for the public good with citizen involvement from the agency and MAG's full federal guaranteed public process! (4)

Finally, when is CTOC going to do its duty under law for an audit of ALL expenditures and modes, transit included per prop 400? Deloitte and Touché has been assisting ADOT in it's administrative support of CTOC regarding these duties while it appears the law is aborted by terminology of no audit, yet just a report of a few roads project. CTOC's 2006 annual report is substandard to the law for necessary AUDIT of ALL expenditures (4). Nevertheless, it maybe that Deloitte Touche could be on the right track advising for innovative public private partnerships as the light rail trolley is under funded, problematic and appears needing help (5).

Thank you for your time and attention. I look forward to your response.

Sincerely,

Dianne Barker
5131 N. 40th St., A 319
Phoenix, AZ 85018
(602) 999-4448
dteam11@yahoo.com

c: Government Officials
Interested Citizens

Footnotes:

(1) <http://commerce.senate.gov/hearings/0721dot.pd>

re: Investigation of discretionary FTA, FHWA , FAA funds and found the associate administrator at FAA made decisions of lower priority and geographical diversity.

(2)

https://www.maricopa.gov/mfr/pdf/mid-yearReport_FY2007.pdf.

Strategic Directions: Maricopa County Mid- year 2007 -Air Quality See -Air quality County Goals. Comment :
County's Excise Tax RARF should provide transportation projects that clear the air not cloud it !

(3) <http://testimony.ost.dot.gov/test/simpson2.htm>

Comment: FTA's report on Deloitte New Starts Study

(4)

www.mag.maricopa.gov/pdf/cms.resource/COMM_2007_Final-Phase-Report35627.pdf
See p 8 CTOC legislation to audit all funds.

CTOC's duty per ARS 28 -6356 9 (F) (5) for ALL expenditures of RARF Including light rail, buses

(5)

<http://a257.g.akamaitech.net/7/257/2422/01jan20071800/edocket.access.gpo.gov/2007/pdf/E7-14285.pdf>

p18 "FTa would consider any innovative contractual arrangements...."

Dianne Barker, US Citizen
Phoenix, AZ
dteam11@yahoo.com
(602) 999-4448

Looking for a deal? Find great prices on flights and hotels with Yahoo! FareChase.
<http://farechase.yahoo.com/>

Jason Stephens

From: Dianne Barker [dteam11@yahoo.com]
Sent: Wednesday, August 15, 2007 3:08 PM
To: Jason Stephens
Subject: 4----E: FRIDAY: 1:30 P.M. OPEN HOUSE--STAKEHOLDERS MEETING

MAG has info to ascertain who may attend hearings and meetings. The public purse could be taped in an affordable manner to insure greater attendance, even friendly phone calls sans "phone bank". Even a call center should be considered if it could make MAG proactive, rather than inert or overall ineffective per any attempt without follow-up which can be worthless event.

--- Jason Stephens <jstephens@mag.maricopa.gov> wrote:

> We mailed out the notices last week and have
> received a number of calls
> from people who've received the notices. You seem to
> be the only one who
> we have a correct address for who has not received
> his/her notice. So,
> it worries me that the post office in your area may
> not be getting you
> all your mail. You should really check on that.
>
> Variety of techniques are just that...we do targeted
> mailing, we do
> display advertisements in the paper, we fax press
> releases to the media,
> we place public notices in the newspaper. It
> wouldn't be feasible to
> call 3,000 or even 300 people to notify them of the
> meeting and it
> wouldn't be feasible to fax 300 to 3,000 private
> citizens. MAG is not a
> call center and we're not set up for that. We do
> everything we can to
> ensure we have the correct addresses for people,
> that we attend large
> special events where hundreds/thousands of people
> congregate (we will
> have a booth at the Independent Living Summit on
> Thursday at the Airport
> Marriot for example) and that we encourage
> participation/public comment
> at our committee meetings and participation via the
> web, E-mail, and
> telephone correspondence.
>
> I don't think you're understanding that, once again,
> a meeting like the
> on Friday is just one component of the process. We
> don't only hold
> public hearings or only hold Regional Council
> meetings, we do a lot of
> things to get participation. I get at least 10-20
> e-mails every week
> through the Web site that are responded to by MAG or
> ADOT staff. If you
> don't understand that public hearings are just one
> component of the
> input process, I don't otherwise know how to explain

> that to you.
>
>
>
> -----Original Message-----
> From: Dianne Barker [mailto:dteam11@yahoo.com]
> Sent: Wednesday, August 15, 2007 2:04 PM
> To: Jason Stephens
> Subject: RE: FRIDAY: 1:30 P.M. OPEN
> HOUSE--STAKEHOLDERS MEETING
>
> When did you mail me the notice I have not
> received?
> Being that you are knowledgeable about my
> non-receipt of last notice ,
> what other "variety of techniques"
> can you , will you reasonably use for notification ?
> Even email can be less costly. What about fax blast
> ?
>
> Hoping people will attend and being appreciate
> doesn't historically
> produce numbers to justify a mailing, does it, if
> the past hearing is a
> true example. How do you see MAG achieving any
> remarkable participation
> for it's efforts and expense, Jason ?
>
> --- Jason Stephens <jstephens@mag.maricopa.gov>
> wrote:
>
> > As I've stated before, MAG utilizes a variety of
> techniques to obtain
> > input. This meeting is just one example. We don't
> "expect" to get a
> > certain number of people at any meeting/hearing we
> have at the MAG
> > offices. We do hope that people are able to attend
> and are very
> > appreciative of those who attend. We welcome those
> who provide
> > constructive and meaningful input.
> >
> > As far as the size of the mailing, I think it was
> somewhere around
> > 300.
> > The only advertising we did for this meeting was
> the notice sent out
> > to yourself and others. This meeting is generally
> held for agency
> > types and private sector stakeholders, along with
> groups such as ABIL,
>
> > the various chambers of commerce, community
> college officials and the
> > like. We welcome their input into the process as
> we do the general
> > public's and
> > this is one way of getting them to provide it.
> >
> > -----Original Message-----
> > From: Dianne Barker [mailto:dteam11@yahoo.com]
> > Sent: Wednesday, August 15, 2007 1:04 PM
> > To: Jason Stephens
> > Subject: FRIDAY: 1:30 P.M. OPEN
> > HOUSE--STAKEHOLDERS MEETING
> >

> > MAG received way less than 1% citizen turnout
> from the last mailing
> > for final phase hearing. What are the numbers
> expected Friday fr ?
> > Size of mailing and oany other advertisement ?
> >
> >
> > --- Jason Stephens <jstephens@mag.maricopa.gov>
> > wrote:
> >
> > > DD -
> > > I don't understand why you're not receiving the
> > notices we send out if
> >
> > > we have your correct address. Please provide
> your
> > address again and
> > > I'll triple check the numbers.
> > > Thank you,
> > > Jason
> > >
> > > -----Original Message-----
> > > From: Dianne Barker [mailto:dteam11@yahoo.com]
> > > Sent: Wednesday, August 15, 2007 6:32 AM
> > > To: Jason Stephens
> > > Subject: 1:30 P.M. OPEN HOUSE--STAKEHOLDERS
> > MEETING
> > >
> > > Is the public stakeholder invited ? Received
> > nothing.
> > > ~Dianne
> > >
> > >
> > >
> > > AGENDA
> > > Early Phase Transportation Stakeholders Open
> House, Meeting and TIP
> > > Guidance Workshop Maricopa Association of
> Governments
> > > 302 North 1 Avenst ue
> > > Second Floor, Saguaro Room
> > > Friday, August 17, 2007
> > > 1:30 p.m.
> > > 1:30 P.M. - OPEN HOUSE
> > > MAG, ADOT, Valley Metro and METRO staff will be
> available in the
> > > second floor lobby to answer questions and
> provide information on
> > > the Valley's transportation system.
> > > 2:00 P.M. - INTRODUCTION AND UPDATES BY MAG,
> ADOT AND VALLEY METRO
> > > Staff will provide agency updates.
> > > 2:15 P.M. - STAKEHOLDERS MEETING
> > > Meeting attendees will have the opportunity to
> suggest projects,
> > > voice concerns and receive answers to
> transportation questions.
> > > 3:00 P.M. - PROGRAMMING WORKSHOP
> > > MAG Programming Manager Eileen Yazzie will
> provide information on
> > > how to program projects for the 2009-2013 TIP.
> > > Please park in the garage under the building,
> > bring
> > > your ticket, parking
> > > will be validated. Valley Metro will provide

> > transit
> > > tickets for those
> > > using transit. For those using bicycles, bike
> > racks
> > > are available at the
> > > entrance to the parking garage.
> > >
> > > Dianne Barker, US Citizen
> > > Phoenix, AZ
> > > dteam11@yahoo.com
> > > (602) 999-4448
> > >
> > >
> > >
> > >
> >
>

> > > _____
> > > Need a vacation? Get great deals
> > > to amazing places on Yahoo! Travel.
>
=== message truncated ===

Dianne Barker, US Citizen
Phoenix, AZ
dteam11@yahoo.com
(602) 999-4448

Luggage? GPS? Comic books?
Check out fitting gifts for grads at Yahoo! Search
http://search.yahoo.com/search?fr=oni_on_mail&p=graduation+gifts&cs=bz

Jason Stephens

From: yvonne shealy [ymshea1262@yahoo.com]
Sent: Thursday, August 16, 2007 7:36 PM
To: Jason Stephens
Subject: Information

Hello,

I would love to receive any information you have about the regional railway system idea and development. I would like to be included on the mailing list. I am a graduate student and this subject I have selected for my thesis.

Thank you,

Yvonne Shealy
7456 S. Lasso Lane
Tucson, Az. 85747

Park yourself in front of a world of choices in alternative vehicles. Visit the Yahoo! Auto Green Center.
http://autos.yahoo.com/green_center/

Jason Stephens

From: mag@theshortestpath.com
Sent: Friday, August 17, 2007 8:40 AM
To: Jason Stephens
Subject: Feedback Received

Feedback received from 'Dianne Barker, citizen'
Email Address : 'dteam11@yahoo.com'
Subject : 'Early Phase Input Meeting Today 8-17-07'
Page : '/project.cms?item=1395'

Feedback :

'Mr Stephens- My plans to join you today have been interrupted by work.
Therefore, Jason, please accept my written concerns for the MAG transportation projects
presently and 2009-2012 as follows:

Better Collaboration of citizens and government with innovation and co-operation in safety
and efficiency. Review MAG website address for ITS safety, capabilities and government
structure-

www.mag.maricopa.gov/project.cms?item=1395

Finally, immediate concern for MULTIMODAL innovation and safety measures are at two (2)
corridors :I 10 WESTt and I10 EAST (Broadyway Curve ,So of Phx Sky Harbor Airport. These
hwys are too unsafe/congested.

Sincerely,
Dianne '

Jason Stephens

From: TCMRyan@aol.com

Sent: Sunday, August 19, 2007 10:16 AM

To: kkang@dot.state.az.us; MAG General Mailbox; Eric Anderson; jack@westmarc.org; eneville@dot.state.az.us; gcunningham@az.gov; deb_jacobus@mccain.senate.gov; hotline@oig.dot.gov; mary.peters@ost.dot.gov; tax.wienke@epa.gov; frank.fairbanks@phoenix.gov; david.krietor@phoenix.gov; Jason Stephens; phil.gordon@phoenix.gov; pora@suncitywest.org; r.gira@att.net; SIGSINGS@aol.com; Dennis Smith; russ@starvideo.com; Kelly Taft

Cc: Investigators@abc15.com; apivrotto@abc15.com; bbrooks@az.gov; forum@aztrib.com; jennifer.dokes@arizonarepublic.com; doug.maceachern@arizonarepublic.com; metronews@arizonarepublic.com; AZRepLD4@aol.com; comments@whitehouse.gov; khildebrand@auditor.gen.state.az.us; Robert.Hollis@fhwa.dot.gov; mleyshon@aztrib.com; senator_mccain@mccain.senate.gov; mayorhawker@cityofmesa.org; Randall.Overmyer@surpriseaz.com; vice.president@whitehouse.gov; amity@westmarc.org

Subject: Routing of the S.M.F a health hazard and mis-use of federal highway funds

Ladies and Gentlemen:

The obviously poorly planned routing of the South Mountain Freeway, that will be a major traffic by-pass route around the City of Phoenix, has been brought to the attention of both the Citizens Transportation Oversight Committee (CTOC) and members of the region's designated planning organization, the Maricopa Association of Governments (MAG). The existing rules prohibit members of those bodies to discuss any subject immediately after it is brought to their by a citizen. The oversight must be subsequently placed on an agenda. I note that oversight matters have not been placed on recent CTOC agendas nor has this matter been placed on recent MAG agendas.

Since these two major problems are matters of life and death, I urge a member of CTOC and/or MAG to place on their next agendas the currently-planned routing of the SMF. It is a misuse of federal, state and county funds. The objective should be to discuss and then change the planned SMF routing, for the benefit of not only residents of Arizona but also all interstate traffic that will use the SMF. The currently planned routing will add to the traffic overloads on I-10 during peak hours now and all-day-long in the future UNLESS PASSENGER AND FREIGHT TRAFFIC IS ATTRACTED OFF I-10 BY A HIGH-SPEED VEHICLE THAT DOES NOT EXIST TODAY.

Here are two major problems with the currently-planned routing of the SMF:

A. The tremendous volume of PM-2.5 and compounds of carbon, nitrogen and sulphur that will be produced from the worn tires, brake components, battery posts and consumed hydrocarbon fuels used by the trucks, light trucks and cars traveling over the SMF will be carried by the winds into the air above the nearby grounds of four elementary schools, a middle school, a high school and a learning center.

B. Placing the point where the western end of the SMF is attached to I-10, BETWEEN THE NORTH-SOUTH EXPRESSWAYS IDENTIFIED AS LOOP 101 AND I-17, will cause heavy volumes of SMF traffic volumes that have both Origins and Destinations north of I-10 to zig-zag on I-10, in both directions. The affected sectors of I-10 are between the SMF at 55th Avenue and Loop 101 (just west of 91st Avenue), one of the affected flows of existing O&D traffic and newly-generated O&D traffic, and the same type of traffic flows between the SMF at 55th Avenue and I-17 (where traffic congestion already in 2007 is a mess during peak traffic hours).

It is my understanding that none of these two major problems has been discussed IN PUBLIC by the 25 members of the MAG Regional Council, the body of mayors and a few others who have designated responsibility for this region's transportation planing. If their unanimous votes on the current "Transportation Improvement Plan" reflects any discussion outside their public meetings, it appears that the meeting of government managers who made the decision for the "consent agenda" of the Regional Council, in which the current routing was approved, was violating both the federal TEA-21 and the state open meeting laws.

Again, I remind the Chairmen of the MAG and CTOC meetings that the reasonable time it takes to just barely outline

these two serious problems is longer than three minutes. The MAG and the CTOC Chairmen's continued insistence that no member of the public can address these matters for more than three minutes violates the right of a citizen to speak for a reasonable length of time granted by both the federal and the state law.

I urge members of the Regional Council to direct the transportation planners of the Maricopa Association of Governments, the Cities of Phoenix, Tolleson, Avondale and Goodyear, the County of Maricopa (MCDOT), the State of Arizona (ADOT) and the Native American Nation, all of whom are affected, to move the planned route of the SMF farther south, farther away from the school grounds.

Also, I urge members of the Regional Council to direct all of those transportation planners to move the north-south segment of the western end of the SMF farther west so that none of the existing flows of traffic and newly-generated flows of traffic that have points of origin and destination north of I-10 will zig-zag on I-10 but will flow directly, in both directions, between the SMF and Loop 101 on a properly-designed high-speed interchange that has a break-down lane on both sides of every connecting three-lane ramp. That should be adequate for the anticipated 2107 traffic. (Think Chinese!)

The existing intersection of Loop 101 has been poorly designed for the future traffic volumes when the population of Maricopa County is 6,000,000 persons. No connecting ramp, connecting two major, high-volume highways where traffic flows between 65 MPH and 75 PH should be a one-lane, 40 MPH ramp. If there is not enough money to build a safe ramp, at the very least for the next 40 years, professional ethics dictate no engineering drawing be made and a potentially-dangerous ramp is not built. Aside from that, the traffic congestion caused by under-built intersections causes lost valuable time of the drivers and passengers, lower utilization of trucks and trailers and busses, and higher production of air pollutants. The costs of the resulting breathing problems is high. Death from breathing problems is one of the nastier ways to die. So, stop building interchanges that cannot handle even today's peak-hour traffic!

Furthermore, the members of MAG, the designated transportation planners for this region that receives federal funds for our highways and the reduction in the production of air pollutants, should be ashamed of themselves for ignoring the major problems, outlined above, in their current transportation plan for the 2006 to 2025 planning period.

Please refer to the article on the problem of the SMF being near seven schools that is reported in The Arizona Republic, Sunday, August 19, 2007, in Section B, on pages B1 and B4.

I trust the members of the MAG will be moved to promptly solve these very serious routing problems of the existing plan for the SMF.

Sincerely,

/s/ Joe Ryan

Joseph B. Ryan
Sun City West, AZ
Telephone (623) 584-3300

Get a sneak peek of the all-new AOL.com.

Jason Stephens

From: dteam11@yahoo.com
Sent: Monday, August 20, 2007 11:32 AM
To: Jason Stephens
Cc: dteam11@yahoo.com
Subject: Crash at I-10 near Estrella Pkwy



You have received a link to the following content from dteam11@yahoo.com:
(The email address of the sender has not been verified.)

Follow-up : Citizen 's Aug. 17th submittal for Early Phase. Input Opportu

To access the content, click on the headline below or copy and paste the full address into your Web browser:

Crash at I-10 near Estrella Pkwy

<http://www.azcentral.com/php-bin/clicktrack/email.php/7237764>

Jason Stephens

From: dteam11@yahoo.com
Sent: Monday, August 20, 2007 11:42 AM
To: Jason Stephens
Cc: dteam11@yahoo.com
Subject: 2 killed in I-10 accident



You have received a link to the following content from dteam11@yahoo.com:
(The email address of the sender has not been verified.)

Re: Aug 17th submittal (follow-up) , Another crash on I10

To access the content, click on the headline below or copy and paste the full address into your Web browser.

2 killed in I-10 accident

<http://www.azcentral.com/php-bin/clicktrack/email.php/7237833>

Jason Stephens

From: Dianne Barker [dteam11@yahoo.com]
Sent: Monday, August 20, 2007 2:14 PM
To: Jason Stephens
Subject: Aug 17th Submittal -website

While MAG may not "respond" spontaneously to submittals at "early Phase", when there is a request that can be helpful to the process as website below, is there and can there be consideration by MAG for all attending staff and citizens to review if interested, Jason? By the way, how many citizens came with the 350 mailing anyway ?

Better Collaboration of citizens and government with innovation and co-operation in safety and efficiency.

Review MAG website address for ITS SAFETY, capabilities and government structure -

www.mag.maricopa.gov/project.cms?item=1395

--- Jason Stephens <jstephens@mag.maricopa.gov> wrote:

> DD -
> We've received your e-mails.
> In regard to your e-mail about the Early Phase meeting, your comments
> will be included in the Early Phase Report, due out in October. We do
> not provide formal responses in the Early Phase Report.
> Jason

>

> _____

>

> From: dteam11@yahoo.com [mailto:dteam11@yahoo.com]
> Sent: Monday, August 20, 2007 11:42 AM
> To: Jason Stephens
> Cc: dteam11@yahoo.com
> Subject: 2 killed in I-10 accident

>

>

> <<http://www.azcentral.com/images2/clear.gif>>
> <<http://www.azcentral.com/images2/clear.gif>>
> <<http://www.azcentral.com>>
> <<http://www.azcentral.com/images2/clear.gif>>
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You

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> verified.)

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>

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> the full address into your Web browser:

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>

>

<http://www.azcentral.com/php-bin/clicktrack/email.php/7237833>

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>
>
> <<http://www.azcentral.com/images2/clear.gif>>
> <<http://www.azcentral.com/images2/clear.gif>>
>

Dianne Barker, US Citizen
Phoenix, AZ
dteam11@yahoo.com
(602) 999-4448

Moody friends. Drama queens. Your life? Nope! - their life, your story. Play Sims Stories
at Yahoo! Games.
<http://sims.yahoo.com/>

Jason Stephens

From: Dianne Barker [dteam11@yahoo.com]
Sent: Monday, August 20, 2007 2:55 PM
To: Jason Stephens
Subject: : 3--RE: Aug 17th Submittal -website

Jason, anyone else see the website , my meaningful input . On Fridayon Friday you said .
" We welcome those who provide constructive and meaningful
input." `Dianne

--- Jason Stephens <jstephens@mag.maricopa.gov> wrote:

> We do many different events throughout the year to obtain input, this
> meeting was just one of them.

>
> Yes, I opened the Web site. Thank you for submitting it.

> -----Original Message-----

> From: Dianne Barker [mailto:dteam11@yahoo.com]
> Sent: Monday, August 20, 2007 2:33 PM
> To: Jason Stephens
> Subject: 2--RE: Aug 17th Submittal -website

>
> Jason, it is understood that the public is or should be a
> "stakeholder.

> Our input is the reason for your position, isn't it?

>
> However, you should not worry what you can't control , the mail that
> I never received notification of them ,not of this meeting nor the
> final phase. I was informed of this meeting of Fri meeting by
> yourself.

>
> Did you open and read the MAG website i sent? It was meant to be
> helpful to all you attended the meeting?

>
>
> .

> --- Jason Stephens <jstephens@mag.maricopa.gov>
> wrote:

>
> > "when there is a request that can be helpful to
> the process as website

>
> > below, is there and can there be consideration by
> MAG for all
> > attending staff and citizens to review if
> interested, Jason?"

> >
> > I don't understand your question above. Please
> clarify.

> >
> > The only citizens we mailed to were you (who
> responded), Jim Jochim
> > (who attended), Joe Ryan (who submitted something
> via
> > e-mail) and Bob
> > McKnight (who didn't respond). This wasn't a

> public meeting, it was a
> > meeting for agency people and other private sector
> stakeholders.
> > Approximately 50 people attended.
> >
> >
> >
> > -----Original Message-----
> > From: Dianne Barker [mailto:dteam11@yahoo.com]
> > Sent: Monday, August 20, 2007 2:14 PM
> > To: Jason Stephens
> > Subject: Aug 17th Submittal -website
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> > While MAG may not "respond" spontaneously to
> submittals at "early
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> >
> > > DD -
> > > We've received your e-mails.
> > > In regard to your e-mail about the Early Phase
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> > out in October. We do
> > > not provide formal responses in the Early Phase
> > Report.
> > > Jason
> > >
> > > _____
> > >
> > > From: dteam11@yahoo.com
> > [mailto:dteam11@yahoo.com]
> > > Sent: Monday, August 20, 2007 11:42 AM
> > > To: Jason Stephens
> > > Cc: dteam11@yahoo.com
> > > Subject: 2 killed in I-10 accident
> > >
> > >
> > > <<http://www.azcentral.com/images2/clear.gif>>
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> >
> > Dianne Barker, US Citizen
> > Phoenix, AZ
> > dteam11@yahoo.com
> > (602) 999-4448
> >
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> > _____
> > Moody friends. Drama queens. Your life? Nope! -
> their life, your
> > story.
> > Play Sims Stories at Yahoo! Games.
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> >
> >
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> Phoenix, AZ
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> _____
> Shape Yahoo! in your own image. Join our Network Research Panel

> today!
>
http://surveylink.yahoo.com/gmrs/yahoo_panel_invite.asp?a=7
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Dianne Barker, US Citizen
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dteam11@yahoo.com
(602) 999-4448

Shape Yahoo! in your own image. Join our Network Research Panel today!
http://surveylink.yahoo.com/gmrs/yahoo_panel_invite.asp?a=7

Jason Stephens

From: TMCMRyan@aol.com
Sent: Tuesday, August 21, 2007 7:08 AM
To: MAG General Mailbox; Eric Anderson; Dennis Smith; Kelly Taft; phil.gordon@phoenix.gov; frank.fairbanks@phoenix.gov; Mary.Peters@ost.dot.gov; jack@westmarc.org; bbrooks@az.gov; rblendu@azleg.state.az.us; jharper@azleg.state.az.us; azgov@az.gov; russellpearce@cableaz.com; Richard.deuriarte@arizonarepublic.com; jennifer.dokes@arizonarepublic.com; bob.robb@arizonarepublic.com; AZRepLD4@aol.com; CTOC@azdot.gov; rarnett@evp-az.org; gcunningham@az.gov; hotline@oig.dot.gov; trent.franks@houseenews.net; david.krietor@phoenix.gov; leslie.rogers@fta.dot.gov; Jason Stephens; oig.dot.gov@hotlines.com; ramas4us@verizon.net; craig_rhodes@email.msn.com; rolfhparta@bellsouth.net
Cc: Randall.Overmyer@surpriseaz.com; pora@suncitywest.org
Subject: Message presented to MAG's Transportation POLICY Committee August 20th

Ladies and Gentlemen:

The obviously poorly planned routing of the South Mountain Freeway, that will be a major traffic by-pass route around the City of Phoenix, has been brought to the attention of both the Citizens Transportation Oversight Committee (CTOC) and members of the region's designated planning organization, the Maricopa Association of Governments (MAG). The existing rules prohibit members of those bodies to discuss any subject immediately after it is brought to their by a citizen. The oversight must be subsequently placed on an agenda. I note that oversight matters have not been placed on recent CTOC agendas nor has this matter been placed on recent MAG agendas.

Since these two major problems are matters of life and death, I urge a member of CTOC and/or MAG to place on their next agendas the currently-planned routing of the SMF. It is a misuse of federal, state and county funds. The objective should be to discuss and then change the planned SMF routing, for the benefit of not only residents of Arizona but also all interstate traffic that will use the SMF. The currently planned routing will add to the traffic overloads on I-10 during peak hours now and all-day-long in the future **UNLESS PASSENGER AND FREIGHT TRAFFIC IS ATTRACTED OFF I-10 BY A HIGH-SPEED VEHICLE THAT DOES NOT EXIST TODAY.**

Here are two major problems with the currently-planned routing of the SMF:

A. The tremendous volume of PM-2.5 and compounds of carbon, nitrogen and sulfur that will be produced from the worn tires, brake components, battery posts and consumed hydrocarbon fuels used by the trucks, light trucks and cars traveling over the SMF will be carried by the winds into the air above the nearby grounds of four elementary schools, a middle school, a high school and a learning center.

B. Placing the point where the western end of the SMF is attached to I-10, **BETWEEN THE NORTH-SOUTH EXPRESSWAYS IDENTIFIED AS LOOP 101 AND I-17**, will cause heavy volumes of SMF traffic volumes that have both Origins and Destinations north of I-10 to zig-zag on I-10, in both directions. The affected sectors of I-10 are between the SMF at 55th Avenue and Loop 101 (just west of 91st Avenue), that will carry the affected flows of existing O&D traffic and newly-generated O&D traffic, and the same type of traffic that will flow between the SMF at 55th Avenue and I-17 (where traffic congestion already in 2007 is a mess during peak traffic hours).

It is my understanding that none of these two major problems has been discussed **IN PUBLIC** by the 25 members of the MAG Regional Council, the body of mayors and a few others who have designated

responsibility for this region's transportation planning. If their unanimous votes on the current "Transportation Improvement Plan" reflects any discussion outside their public meetings, it appears that the meeting of government managers who made the decision for the "consent agenda" of the Regional Council, in which the current routing was approved, was violating both the federal TEA-21 and the state open meeting laws.

Again, I remind the Chairmen of the MAG and CTOC meetings that the reasonable time it takes to just barely outline these two serious problems is longer than 3 minutes. The MAG and the CTOC Chairmen's continued insistence that no member of the public can address these matters for more than three minutes violates the right of a citizen to speak for a reasonable length of time granted by both the federal and the state law.

A. I urge members of the Regional Council to direct the transportation planners of the Maricopa Association of Governments, the Cities of Phoenix, Tolleson, Avondale and Goodyear, the County of Maricopa (MCDOT), the State of Arizona (ADOT) and the Native American Nation, all of whom are affected, to move the planned route of the SMF farther south, farther away from the school grounds.

B. Also, I urge members of the Regional Council to direct all of those transportation planners to move the north-south segment of the western end of the SMF farther west so that none of the existing flows of traffic and newly-generated flows of traffic that have points of origin and destination north of I-10 will zig-zag on I-10 but will flow directly, in both directions, between the SMF and Loop 101 on a properly-designed high-speed interchange that has a break-down lane on both sides of every connecting three-lane ramp. That should be adequate for the anticipated 2107 traffic. (Think Chinese!)

The existing intersection of Loop 101 has been poorly designed for the future traffic volumes when the population of Maricopa County is 6,000,000 persons. No connecting ramp, connecting two major, high-volume highways where traffic flows between 65 MPH and 75 PH should be a one-lane, 40 MPH ramp. If there is not enough money to build a safe ramp, at the very least for the next 40 years, professional ethics dictate no engineering drawing be made and a potentially-dangerous ramp is not built. Aside from that, the traffic congestion caused by under-built intersections causes lost valuable time of the drivers and passengers, lower utilization of trucks and trailers and busses, and higher production of air pollutants. The costs of the resulting breathing problems are high. Death from breathing problems is one of the nastier ways to die. So, stop building interchanges that cannot handle even today's peak-hour traffic!

Furthermore, the members of MAG, the designated transportation planners for this region that receives federal funds for our highways and the reduction in the production of air pollutants, should be ashamed of themselves for ignoring the major problems, outlined above, in their current transportation plan for the 2006 to 2025 planning period.

Please refer to the article on the problem of the SMF being near seven schools that is reported in The Arizona Republic, Sunday, August 19, 2007, in Section B, on pages B1 and B4. That report is on the following two pages.

I trust the members of the MAG will be moved to promptly solve these very serious routing problems of the existing plan for the SMF.

Sincerely,
/s/ Joe Ryan

9/19/2007

Joseph B. Ryan
Sun City West, AZ Telephone (623) 584-3300

August 19, 2007

Get a sneak peek of the all-new AOL.com.

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Tuesday, August 21, 2007 7:25 AM
To: Jason Stephens
Cc: Eric Anderson; Lindy Bauer; Jochim1@aol.com
Subject: Re: Easy ?

Jason,

I am disappointed that minutes were not taken at the Early Phase Stakeholder's Meeting especially when the cover letter from Mr. Eric Anderson stated the following: **"This meeting kicks off the most important of MAG's cooperative four phase public input process-the early input phase--which allows for input prior to the selection of transportation projects by MAG committees."**

When I reflect back on the Final Phase Input Opportunity Report meeting that was Chaired by Lindy Bauer on June 18, 2007 a Certified Report was at the meeting to capture all comments. As a process improvement suggestion maybe there should be alignment on documentation between the phases in the future.

Sincerely,

Jim Jochim

----- Original Message -----

From: Jason Stephens
To: jochim1@cox.net
Cc: Eric Anderson
Sent: Monday, August 20, 2007 1:06 PM
Subject: RE: Easy ?

Jim -

We do not take minutes at the Early Phase Stakeholder's Meeting. We take down project suggestions, and also forward them to the appropriate member agency if needed. The input received will be included in the Early Phase Input Opportunity Report that will be available in October, along with other input received during the Early Phase. We can mail you a hard copy to the Early Phase Report, as we did the Final Phase report, if you so desire.

Thank you!
 Jason

From: Eric Anderson
Sent: Monday, August 20, 2007 10:23 AM
To: Jason Stephens
Subject: FW: Easy ?

From: Jim Jochim [mailto:jochim1@cox.net]
Sent: Saturday, August 18, 2007 9:18 AM
To: Eric Anderson
Cc: Jim Jochim
Subject: Easy ?

Mr. Anderson

Eric,

When will minutes of the Early Phase Transportation Stakeholders Meeting that was held on August 17, 2007 be available to the attendees?

Sincerely,

Jim Jochim

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Tuesday, August 21, 2007 12:31 PM
To: Jason Stephens; Timothy Tait
Cc: Jochim1@aol.com; Jim Jochim
Subject: Recap of pending questions and expectations on response times

Dear Jason Stephens (MAG) & Timothy Tait (ADOT),

Outlined below is a brief summary of the six questions that are pending written responses from ADOT & MAG . They will be listed in date order submitted:

July 27, 2007. Question # 1: Monies paid to the SRPMIC for land acquisition & right-of-way.

July 27, 2007. Question # 2: Length of the Pima 101 Freeway on SMPMIC property.

August 2, 2007. Question # 3 : How to prevent CANAMEX truck traffic from using the SMF.

August 2, 2007. Question # 4 : Validation of the 7 % reduction of traffic on the B'Way curve if SMF constructed.

August 2, 2007. Question # 5: Current projected costs to build the SMF.

August 8, 2007. Question # 6: Impacts on the alterial street network if SMF is built.

If you need hard copies of the above e-mails please advise and I will send them via Certified Mail to ensure receipt documentation

My expectation is to receive a written response on these six questions within 30 days from the date of this e-mail. That will provide both of your agencies more lead time to respond to these questions than your process will allow public comments once the DEIS is released.

Please advise if you have any questions.

Sincerely,

Jim Jochim
1231 E. Desert Flower Lane
Phoenix, AZ
T # 480-460-2535
Fax # 480-460-2898

9/19/2007

Jason Stephens

From: Timothy Tait [TTait@azdot.gov]
Sent: Thursday, August 23, 2007 11:22 AM
To: Jim Jochim
Cc: Jason Stephens; Bill Hayden
Subject: Re: South Mountain Inquiries
Attachments: Fw: Data needed; Fw: CANAMEX; Fw: Two data validation questions

Mr. Jochim,

Thank you for your interest in the proposed South Mountain Freeway. This e-mail is in response to the three e-mails (attached) that you sent to me on August 10.

You expressed concern about the current budgeted costs that MAG and ADOT are using in relation to the construction of the proposed South Mountain Freeway at the Pecos Road alignment.

A detailed assessment of the financial implications of the build alternatives will be unknown until preparation of the Design Concept Report is complete. The Draft Environmental Impact Statement will review potential construction impacts, purpose and need, right-of-way acquisition, tax base/economic analysis, travel time, impacts to public parks/recreation areas, planning level cost estimates, etc. MAG, as the designated transportation planning organization for Maricopa County, prioritizes projects that are part of the voter-approved Regional Transportation Plan. The 2004 election designated more than \$1 billion (in 2004 dollars) for construction of the South Mountain Freeway portion of Loop 202, although MAG can modify allocations to meet current construction estimates. Ultimately, if a build alternative is approved MAG will decide whether or not to fund the proposed freeway based upon a full review of documentation.

You also asked whether a constructed South Mountain Freeway would result in an approximate seven percent reduction in traffic at the Broadway Curve as opposed to not building the freeway.

This data will be presented in the Draft Environmental Impact Statement. The seven percent reduction is still a valid estimate.

You had concerns about how the CANAMEX Corridor would relate to the South Mountain Freeway and how truck traffic could be prevented from accessing this potential freeway.

Currently, trucks from Mexico are only permitted to travel 20 miles north of the U.S./Mexico border. In Maricopa County, the MAG recommended corridor generally follows:

- Interstate 8 to SR 85
- SR 85 to I-10
- I-10 to US Route 93

You can access the recommended corridor for Maricopa County from the MAG Web site at http://www.mag.maricopa.gov/pdf/cms.resource/canamexroutes_995.pdf.

According to the CANAMEX Corridor Coalition's 2001 working paper, "Task VI: Environmental Fatal Flaw Screening and International Regulatory Issues," *"The Ports of Entry in each of the CANAMEX states have a mission to ensure compliance with motor carrier regulations; to provide assistance and information to the motor carriers; and to assist in the preservation of the highway system and the safety of the traveling public. This mission is accomplished through safety inspections and educational programs provided to commercial drivers and motor carrier companies. The states have ports of entry along the CANAMEX Corridor to enforce the laws and regulations of the state."* You can view this document at http://www.canamex.org/PDF/Environmental_and_International_Issues.pdf.

For more information on the CANAMEX Corridor, it is suggested you contact, Marisa Walker, Executive Director, 1700 West Washington Street, Suite 600, Phoenix, AZ 85007 (phone: 602.771.1111 or e-mail:

9/19/2007

marisaw@azcommerce.com).

Your final question asked whether a constructed South Mountain Freeway would actually reduce traffic on the surrounding arterial streets and referred to the "FY 2007 Final Phase Input Opportunity Report" that contained information that, "Additionally, construction of the South Mountain Freeway reduces traffic on the surrounding arterial street network."

The statement about the reduction of arterial street traffic is a general remark looking at the overall arterial street network. The City of Phoenix conducted a traffic study looking at this issue. Some locations would have higher volumes with the freeway, but the volume on these streets is still projected to be low enough as not to result in poor traffic operations. The major roads that would be parallel to the freeway would see a reduction in traffic.

Once again, thank you for your interest in this proposed freeway. Please do not hesitate to contact me if you have additional questions. Thank you.

Sincerely,

Timothy Tait
Community Relations Project Manager
Arizona Department of Transportation
office 602.712.7070

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9/19/2007

Kelly Taft

From: Kelly Taft
Sent: Thursday, August 23, 2007 2:03 PM
To: 'Dianne Barker'
Cc: Jason Stephens
Subject: RE: 2-: TPC E-Update for 8/20/07

Yes, Mr. Ryan provided input on that item, Agenda Item #6, at the August 22, 2007 Regional Council meeting.

Kelly Taft, APR
Communications Manager
Maricopa Association of Governments
(602) 452-5020 (direct)
(602) 254-6309 (fax)

-----Original Message-----

From: Dianne Barker [mailto:dteam11@yahoo.com]
Sent: Thursday, August 23, 2007 1:25 PM
To: Kelly Taft
Subject: 2-: TPC E-Update for 8/20/07

Thanks for e-news, Kelly .Believe the interest money the cities want to accelerate highways bulding is an issue of Mr. Ryan's spoke of yesterday at Regional Council, isn't itl ? `Dianne

--- Kelly Taft <ktaft@mag.maricopa.gov> wrote:

> Let's Keep Moving!
>
> Your E-News Update from the Transportation Policy Committee (TPC)
>
> Phoenix Councilmember Peggy Bilsten, Chair
>
> August 20, 2007, Meeting Summary
>
>
> Message from the Chair
>
> Sometimes things run along so smoothly that we are brought up short
> when difficult issues come our way. During our August meeting, we had
> the challenging task of trying to decide how best to allocate \$10
> million from the \$31.2 million in funding given to the MAG region by
> the State Legislature through the Statewide Transportation
> Acceleration Needs (STAN II) account. While most agree the widening of
> I-10 is a priority, the concern many expressed was in regard to
> process and whether we are establishing a precedent for future
> acceleration projects.
> Unfortunately, there is no simple solution on this issue, and it is
> clear that we will not find unanimous agreement in this case. I do
> want to say that I was impressed by the thoughtfulness behind the
> votes at our meeting and the respect shown by everyone involved. It is
> clear that going forward, we need to reexamine the MAG highway
> acceleration policy to deal with issues of interest reimbursement, as
> well as hold a discussion on how best to work with our state and
> federal legislative partners when new funding is assigned to our
> region.
>
>

>
> Meeting Summary
>
>
>
> Statewide Transportation Acceleration Needs (STAN) II Account
>
> As part of the FY 2008 state budget, the Legislature transferred \$62
> million from the State Highway Fund to the State Transportation
> Acceleration Needs (STAN) account. Under House Bill 2793, the
> Legislature established a subaccount for the reimbursement of interest
> expenses incurred by or on behalf of a local jurisdiction for the
> acceleration of transportation projects. The bill allocated \$10
> million from the \$62 million STAN II appropriation for this purpose.
>
>
>
> State law requires that the regional planning agency establish a
> process for the review and approval of reimbursement of interest costs
> from the STAN account. State law also requires that for a project to
> be eligible for reimbursement of the interest cost, an agreement needs
> to be in place with at least one other city or county, the Arizona
> Department of Transportation, and the regional planning agency. On
> March 20, 2000, the Regional Council adopted a Highway Acceleration
> Policy. Several MAG member agencies have since accelerated projects
> using the policy. HB
> 2793 has now clarified that the interest cost incurred by the cities
> can be reimbursed by the funding provided in the STAN II legislation.
>
>
>
> The TPC recommended authorizing the MAG Executive Director to enter
> into an agreement with ADOT, to approve the reimbursement of up to \$10
> million for the local interest cost for the acceleration of the I-10
> widening, and to forward it to the State Transportation Board for
> consideration. The MAG Regional Council will consider the TPC
> recommendation at its meeting tonight.
>
>
>
> Future Meetings and Events
>
> Regional Council Meeting
>
> 5 PM, Wednesday, August 22, 2007, at the MAG Offices.
>
> Management Committee Meeting
>
> Noon, Wednesday, September 12, 2007, at the MAG Offices.
>
> MAG Information Booth, 22nd National Hispanic Women's Conference
>
> 8 AM - 4 PM, September 13-14, 2007, Phoenix Convention Center, Phoenix
>
> Transportation Policy Committee Meeting
>
>
>
> 4 PM, Wednesday, September 19, 2007, at the MAG Offices
>
> Regional Council Meeting
>
> 5 PM, Wednesday, September 26, 2007, at the MAG Offices.
>
>
>
> The MAG Offices are located at 302 N. 1st Avenue, Phoenix. Meeting

> rooms are on the second floor.
>
>
>
> Let's Keep Moving E-Update is a monthly electronic newsletter
> providing information about the Transportation Policy Committee and
> the implementation of the Regional Transportation Plan.
> For questions
> regarding this publication, or to be removed from the distribution
> list, contact Kelly Taft at (602) 254-6300, or via e-mail at
> ktaft@mag.maricopa.gov.
>
>
>
>

Dianne Barker, US Citizen
Phoenix, AZ
dteam11@yahoo.com
(602) 999-4448

Choose the right car based on your needs. Check out Yahoo! Autos new Car Finder tool.
<http://autos.yahoo.com/carfinder/>

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Thursday, August 23, 2007 4:39 PM
To: Timothy Tait
Cc: Jason Stephens; Bill Hayden; Jochim1@aol.com; Jim Jochim
Subject: Re: South Mountain Inquiries

Mr. Tait

Thank you for the response.

I will study your e-mail in greater detail after the SMCAT Meeting tonight but upon an initial quick review I see there is a lack of any documentation on the first question that was sent on July 27, 2007 to Jason Stephens on the SRPMIC issues. As noted in my prior e-mails I did receive a call from Mr. Hayden on the two questions but I need a formal response in writing.

Thank you for your role as Community Relations Project Manager in this critical issue.

Sincerely,

Jim Jochim

----- Original Message -----

From: Timothy Tait
To: Jim Jochim
Cc: Jason Stephens ; Bill Hayden
Sent: Thursday, August 23, 2007 11:21 AM
Subject: Re: South Mountain Inquiries

Mr. Jochim,

Thank you for your interest in the proposed South Mountain Freeway. This e-mail is in response to the three e-mails (attached) that you sent to me on August 10.

You expressed concern about the current budgeted costs that MAG and ADOT are using in relation to the construction of the proposed South Mountain Freeway at the Pecos Road alignment.

A detailed assessment of the financial implications of the build alternatives will be unknown until preparation of the Design Concept Report is complete. The Draft Environmental Impact Statement will review potential construction impacts, purpose and need, right-of-way acquisition, tax base/economic analysis, travel time, impacts to public parks/recreation areas, planning level cost estimates, etc. MAG, as the designated transportation planning organization for Maricopa County, prioritizes projects that are part of the voter-approved Regional Transportation Plan. The 2004 election designated more than \$1 billion (in 2004 dollars) for construction of the South Mountain Freeway portion of Loop 202, although MAG can modify allocations to meet current construction estimates. Ultimately, if a build alternative is approved MAG will decide whether or not to fund the proposed freeway based upon a full review of documentation.

You also asked whether a constructed South Mountain Freeway would result in an approximate seven percent reduction in traffic at the Broadway Curve as opposed to not building the freeway.

This data will be presented in the Draft Environmental Impact Statement. The seven percent reduction is still a valid estimate.

You had concerns about how the CANAMEX Corridor would relate to the South Mountain Freeway and how truck traffic could be prevented from accessing this potential freeway.

Currently, trucks from Mexico are only permitted to travel 20 miles north of the U.S./Mexico border. In Maricopa County, the MAG recommended corridor generally follows:

- Interstate 8 to SR 85
- SR 85 to I-10

- I-10 to US Route 93

You can access the recommended corridor for Maricopa County from the MAG Web site at http://www.mag.maricopa.gov/pdf/cms.resource/canamexroutes_995.pdf.

According to the CANAMEX Corridor Coalition's 2001 working paper, "Task VI: Environmental Fatal Flaw Screening and International Regulatory Issues," *"The Ports of Entry in each of the CANAMEX states have a mission to ensure compliance with motor carrier regulations; to provide assistance and information to the motor carriers; and to assist in the preservation of the highway system and the safety of the traveling public. This mission is accomplished through safety inspections and educational programs provided to commercial drivers and motor carrier companies. The states have ports of entry along the CANAMEX Corridor to enforce the laws and regulations of the state."* You can view this document at

http://www.canamex.org/PDF/Environmental_and_International_Issues.pdf.

For more information on the CANAMEX Corridor, it is suggested you contact, Marisa Walker, Executive Director, 1700 West Washington Street, Suite 600, Phoenix, AZ 85007 (phone: 602.771.1111 or e-mail: marisaw@azcommerce.com).

Your final question asked whether a constructed South Mountain Freeway would actually reduce traffic on the surrounding arterial streets and referred to the "FY 2007 Final Phase Input Opportunity Report" that contained information that, "Additionally, construction of the South Mountain Freeway reduces traffic on the surrounding arterial street network."

The statement about the reduction of arterial street traffic is a general remark looking at the overall arterial street network. The City of Phoenix conducted a traffic study looking at this issue. Some locations would have higher volumes with the freeway, but the volume on these streets is still projected to be low enough as not to result in poor traffic operations. The major roads that would be parallel to the freeway would see a reduction in traffic. Once again, thank you for your interest in this proposed freeway. Please do not hesitate to contact me if you have additional questions. Thank you.

Sincerely,

Timothy Tait

Community Relations Project Manager
Arizona Department of Transportation
office 602.712.7070

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Kelly Taft

From: TMCMRyan@aol.com
Sent: Saturday, August 25, 2007 2:43 AM
To: azgov@az.gov; bbrooks@az.gov; jharper@azleg.state.az.us; jburges@azleg.state.az.us; Opinions@arizonarepublic.com; doug.maceachern@arizonarepublic.com; metronews@arizonarepublic.com; bob.robb@arizonarepublic.com; wvalley.letters@arizonarepublic.com; Kelly Taft; Dennis Smith; pora@suncitywest.org; phil.gordon@phoenix.gov; senator_mccain@mccain.senate.gov; frank.fairbanks@phoenix.gov
Cc: MAG General Mailbox; jack@westmarc.org; amity@westmarc.org; Mary.Peters@ost.dot.gov; tax.wienke@epa.gov
Subject: Phoenix Power Plays Hurt Entire State of Arizona

AN OPINION REGARDING THE ARIZONA REPUBLIC'S FRONT PAGE ARTICLE ON AUGUST 24, 2007

Dear Editor:

Last Wednesday's power play of the City of Phoenix, holding up the widening of I-10, is just another example of how Phoenix politicians act to the detriment of the entire State of Arizona. Most readers do not understand what is going on. The highway program of Maricopa County is seriously under-funded for the current 20-year period, 2006 - 2025. Currently, there is not enough money generated by the half-cent sales tax to cover the much-needed and long-overdue widening of I-10 in the western part of the County. Traffic carried by I-10 includes inter-county, interstate and international traffic.

The current plan is to borrow money, now, to pay for a small, yet important, improvement, widening I-10 in western Maricopa County. That would reduce its current high rate of accidents, injuries and deaths. Obviously, that would benefit regional and international traffic. The unanswered question is who will promise to pay the bond-holders for the unanticipated interest on the highway improvement bonds? Future collections from a portion of the County's half-cent sales tax would be dedicated to cover the repayment of the principal amount. The problem with this illogical funding scheme is that the City of Phoenix wants three small cities to pay for the interest due on those bonds. What if the taxpayers of Avondale and Litchfield Park refuse to pay the interest cost that illogically is allocated to them? Why would any party, issuing these bonds, agree to give money to the borrower if repayment of the interest portion of the loan is not 100% guaranteed? The entire financial plan for the County's 2006 - 2025 highway needs, that under-funds the forecast 2025 population's requirements by tens of billions of dollars, is ridiculous. Unless it is changed, Maricopa County's plan will have adverse effects upon the entire economy of Arizona.

Most the Maricopa Association of Government's (MAG's) Transportation Policy Committee and Regional Council meetings, held last Monday and Wednesday, was spent discussing many ways of allocating a few million dollars of interest costs illogically to a few thousand taxpayers of 3 tiny cities. That waste of time did not solve the obvious problem that is causing traffic accidents, injuries and deaths along the County's under-built highways and highway interchanges. The deal desired by Phoenix politicians, to be thrust upon the 3 small cities by the Regional Council's weighted vote, makes no common sense. The dollar needs of this County, for this 20-year planning period, are under-funded not just by the "chump change" of those interest costs but by tens of billions of dollars. That's the big problem that is being ignored.

Phoenix politicians are harming the State's growth in other ways. For example, the parking lots of Sky Harbor International Airport are cash cows. No high-speed transportation line is planned to connect a single Arizona city with that "airport gateway to the world". (Even the planned Phoenix streetcar line will not serve the Sky Harbor terminals. Airline passengers using the planned light rail line also will have to make connections with a planned "people mover".) The apparent position of Phoenix politicians, forcing airline travelers to use their "cash cow" airport parking lots, prevents the cities of Arizona from being competitively connected by high-speed elevated transit lines with other cities of the world's global economy.

Back in the 1970's, an Arizona governor designated the Maricopa Association of Governments (MAG) to be this region's Metropolitan Planning Organization for all aspects of transportation planning. Under the MAG's control, Maricopa County's transportation infrastructure has become highly congested, causing accidents and dangerous levels of air

pollutants. It is suggested that either the State legislature or the Governor should re-designate to some other organization responsibility for creating this region's transportation strategies, policies and plans.

Joseph B. Ryan
13311 Paintbrush Drive
Sun City West, Arizona

(623) 584-3300

Get a sneak peek of the all-new AOL.com.

Jason Stephens

From: Jim Jochim [jochim1@cox.net]
Sent: Saturday, August 25, 2007 7:58 AM
To: Timothy Tait
Cc: Jason Stephens; Bill Hayden; Jochim1@aol.com; Jim Jochim; marisaw@azcommerce.com
Subject: Re: South Mountain Inquiries

Mr. Tait,

Thank you for your role in communicating to the public the impacts the SMF will have on the environment & life style in the Ahwatukee Foothills area.

To the best of your teams ability I would like to know the VPD (Vehicle Per Day) count on 32nd Street at the intersection of Pecos Road and 32nd Street. Specifically how many VPD use that intersection to either gain access to Pecos Road or to exit Pecos Road to gain access to 32nd Street.

I also find of interest your statement that the volume on these streets " is projected to be low enough not to result in poor traffic operations". Since ADOT/MAG likes to use the alpha scale to rate traffic flow--what is it today and what will it be if the "proposed" SMF is constructed.

Regarding the CANAMEX issue I plan to be in contact with Marisa Walker as I find your continued responses to be void of any substance on how we are going to truly prevent the truckers from using the "proposed" SMF. Words like declaration and recommended corridor will not stop an 18 wheeler from using the shortest route with better amenities to get to their destination.

As your team's schedule permits I look forward to your reply.

Sincerely

Jim Jochim
 1231 E. Desert Flower Lane
 Phoenix, AZ 85048
 T # 480-460-2535
 Fax # 480-460-2898.

----- Original Message -----

From: Timothy Tait
To: Jim Jochim
Cc: Jason Stephens ; Bill Hayden
Sent: Thursday, August 23, 2007 11:21 AM
Subject: Re: South Mountain Inquiries

Mr. Jochim,

Thank you for your interest in the proposed South Mountain Freeway. This e-mail is in response to the three e-mails (attached) that you sent to me on August 10.

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A detailed assessment of the financial implications of the build alternatives will be unknown until preparation of the Design Concept Report is complete. The Draft Environmental Impact Statement will review potential construction impacts, purpose and need, right-of-way acquisition, tax base/economic analysis, travel time, impacts to public parks/recreation areas, planning level cost estimates, etc. MAG, as the designated transportation planning organization for Maricopa County, prioritizes projects that are part of the voter-approved Regional Transportation Plan. The 2004 election designated more than \$1 billion (in 2004 dollars) for

9/19/2007

construction of the South Mountain Freeway portion of Loop 202, although MAG can modify allocations to meet current construction estimates. Ultimately, if a build alternative is approved MAG will decide whether or not to fund the proposed freeway based upon a full review of documentation.

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For more information on the CANAMEX Corridor, it is suggested you contact, Marisa Walker, Executive Director, 1700 West Washington Street, Suite 600, Phoenix, AZ 85007 (phone: 602.771.1111 or e-mail: marisaw@azcommerce.com).

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The statement about the reduction of arterial street traffic is a general remark looking at the overall arterial street network. The City of Phoenix conducted a traffic study looking at this issue. Some locations would have higher volumes with the freeway, but the volume on these streets is still projected to be low enough as not to result in poor traffic operations. The major roads that would be parallel to the freeway would see a reduction in traffic. Once again, thank you for your interest in this proposed freeway. Please do not hesitate to contact me if you have additional questions. Thank you.

Sincerely,

Timothy Tait

Community Relations Project Manager
Arizona Department of Transportation
office 602.712.7070

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Jason Stephens

From: TMCMRyan@aol.com
Sent: Sunday, August 26, 2007 4:50 PM
To: MAG General Mailbox; Eric Anderson; bibrahim@pccairo.org; CTOC@azdot.gov; rarnett@evp-az.org; eneville@dot.state.az.us; frank.fairbanks@phoenix.gov; david.krietor@phoenix.gov; leslie.rogers@fta.dot.gov; Jason Stephens; mayorhawker@cityofmesa.org; phil.gordon@phoenix.gov; pora@suncitywest.org; Dennis Smith; Kelly Taft
Cc: azgov@az.gov; doug.maceachern@arizonarepublic.com; bob.robb@arizonarepublic.com; ken.western@arizonarepublic.com; burges@myexcel.com; gcunningham@az.gov; mary.peters@ost.dot.gov; tax.wienke@epa.gov; JFlake@aol.com; khildebrand@auditorgen.state.az.us; Robert.Hollis@fhwa.dot.gov; senator_mccain@mccain.senate.gov
Subject: The Billion Dollar Question for this region's Metropolitan Planning Organization

Folks, the message below, attributed to the Chair of a MAG meeting, overlooks the obvious. Members of the MAG's Transportation POLICY Committee and the Regional Council should not be spending their time discussing the best way to charge three small cities CHUMP CHANGE. They should be discussing how to raise the tens of billions of dollars SHORTAGE in their revenue plan for this current 20-year planning period. When the agreed basis of the 20-year transportation plan for Maricopa County includes a population that is TWICE THE CURRENT POPULATION, the transportation infrastructure plan must be able to handle MORE THAN TWICE THE CURRENT VEHICLE MILES DRIVEN EACH DAY. I think that has been clearly pointed out to the members of both "boards of directors".

Now, why hasn't that problem been on the agendas of the Transportation Policy Committee and the Regional Council? Why hasn't the Chairman of the Citizen's Transportation Oversight Committee stood up before both of those distinguished groups and mentioned that minor oversight, first to a lesser degree in Prop 300 (back in 1985), and now in Prop 400? The serious omission of the ways the County's infrastructure requirements are to be funded was raised in the Citizen's Transportation OVERSIGHT Committee meetings. For that matter, why hasn't Chairman Arnett's agendas included any item of oversight brought to his Oversight Committee's attention by Citizens at prior meetings?

Folks, the problem is not how to bill citizens of Avondale, Goodyear and Litchfield Park for an extra share of the cost of widening I-10. That bill should be sent to the wealthiest town around here, Phoenix, to be paid out of the same slush fund that it paid a City contractor for a 1999 direct mail advertising project selling voters on Prop 2000. Charge it to Professional Services Purchased - and ask an Audit Partner how well he likes the audit.

Joe Ryan
 Sun City West

August 20, 2007, Meeting Summary

>>
 >>
 >>
 >> Message from the Chair
 >>
 >> Sometimes things run along so smoothly that we are
 > brought up short
 >> when difficult issues come our way. During our
 > August meeting, we had
 >> the challenging task of trying to decide how best
 > to allocate \$10
 >> million from the \$31.2 million in funding given to
 > the MAG region by
 >> the State Legislature through the Statewide
 > Transportation
 >> Acceleration Needs (STAN II) account. While most
 > agree the widening of

>
>> I-10 is a priority, the concern many expressed was
> in regard to
>> process and whether we are establishing a
> precedent for future
>> acceleration projects.
>> Unfortunately, there is no simple solution on this
> issue, and it is
>> clear that we will not find unanimous agreement in
> this case. I do
>> want to say that I was impressed by the
> thoughtfulness behind the
>> votes at our meeting and the respect shown by
> everyone involved. It is
>
>> clear that going forward, we need to reexamine the
> MAG highway
>> acceleration policy to deal with issues of
> interest reimbursement, as
>> well as hold a discussion on how best to work with
> our state and
>> federal legislative partners when new funding is
> assigned to our
>> region.
>>
>>
>>
>> Meeting Summary
>>
>>
>>
>> Statewide Transportation Acceleration Needs (STAN)
> II Account

Get a sneak peek of the all-new AOL.com.

Jason Stephens

From: mag@theshortestpath.com
Sent: Tuesday, August 28, 2007 2:07 PM
To: Jason Stephens
Subject: Feedback Received

Feedback received from 'pete sheehan'
Email Address : 'pete.sheehan@amec.com'
Subject : 'shallow manholes'
Page : '/display.cms'

Feedback :

'AMEC is working with the City of Lake Havasu on the Wastewater Expansion Project. The City standards for a shallow manhole (4 to 8 feet deep) does not have a dimension for the wall thickness. The std details for a manhole 8 to 30 feet deep calls out a wall thickness of 6 to 8 inches.

When looking thru the MAG stds, detail 522, the wall thicknes is 4 inches.

Could you please confirm the recommended manhole wall thickness for shallow manholes 8 feet or less... Does MAG have a std detail of this?'

Jason Stephens

From: Marisa Walker [MarisaW@AZcommerce.com]
Sent: Monday, August 27, 2007 11:44 AM
To: jochim1@cox.net; TTait@azdot.gov
Cc: Jason Stephens; BHayden@azdot.gov; Jochim1@aol.com
Subject: Re: South Mountain Inquiries

Mr. Jochim, I look forward to speaking with you.

Marisa Paula Walker
CANAMEX Corridor Coalition

----- Original Message -----

From: Jim Jochim <jochim1@cox.net>
To: Timothy Tait <TTait@azdot.gov>
Cc: Jason Stephens <jstephens@mag.maricopa.gov>; Bill Hayden <BHayden@azdot.gov>; Jochim1@aol.com <Jochim1@aol.com>; Jim Jochim <jochim1@cox.net>; Marisa Walker
Sent: Sat Aug 25 07:58:15 2007
Subject: Re: South Mountain Inquiries

Mr. Tait,

Thank you for your role in communicating to the public the impacts the SMF will have on the environment & life style in the Ahwatukee Foothills area.

To the best of your teams ability I would like to know the VPD (Vehicle Per Day) count on 32nd Street at the intersection of Pecos Road and 32nd Street. Specifically how many VPD use that intersection to either gain access to Pecos Road or to exit Pecos Road to gain access to 32nd Street.

I also find of interest your statement that the volume on these streets " is projected to be low enough not to result in poor traffic operations". Since ADOT/MAG likes to use the alpha scale to rate traffic flow--what is it today and what will it be if the "proposed" SMF is constructed.

Regarding the CANAMEX issue I plan to be in contact with Marisa Walker as I find your continued responses to be void of any substance on how we are going to truly prevent the truckers from using the "proposed" SMF. Words like declaration and recommended corridor will not stop an 18 wheeler from using the shortest route with better amenities to get to their destination.

As your team's schedule permits I look forward to your reply.

Sincerely

Jim Jochim
1231 E. Desert Flower Lane
Phoenix, AZ 85048
T # 480-460-2535
Fax # 480-460-2898.

----- Original Message -----

From: Timothy Tait <<mailto:TTait@azdot.gov>>
To: Jim Jochim <<mailto:jochim1@cox.net>>
Cc: Jason Stephens <<mailto:jstephens@mag.maricopa.gov>> ; Bill Hayden <<mailto:BHayden@azdot.gov>>
Sent: Thursday, August 23, 2007 11:21 AM
Subject: Re: South Mountain Inquiries

Mr. Jochim,

Thank you for your interest in the proposed South Mountain Freeway. This e-mail is in response to the three e-mails (attached) that you sent to me on August 10.

You expressed concern about the current budgeted costs that MAG and ADOT are using in relation to the construction of the proposed South Mountain Freeway at the Pecos Road alignment.

A detailed assessment of the financial implications of the build alternatives will be unknown until preparation of the Design Concept Report is complete. The Draft Environmental Impact Statement will review potential construction impacts, purpose and need, right-of-way acquisition, tax base/economic analysis, travel time, impacts to public parks/recreation areas, planning level cost estimates, etc. MAG, as the designated transportation planning organization for Maricopa County, prioritizes projects that are part of the voter-approved Regional Transportation Plan. The 2004 election designated more than \$1 billion (in 2004 dollars) for construction of the South Mountain Freeway portion of Loop 202, although MAG can modify allocations to meet current construction estimates. Ultimately, if a build alternative is approved MAG will decide whether or not to fund the proposed freeway based upon a full review of documentation.

You also asked whether a constructed South Mountain Freeway would result in an approximate seven percent reduction in traffic at the Broadway Curve as opposed to not building the freeway.

This data will be presented in the Draft Environmental Impact Statement. The seven percent reduction is still a valid estimate.

You had concerns about how the CANAMEX Corridor would relate to the South Mountain Freeway and how truck traffic could be prevented from accessing this potential freeway.

Currently, trucks from Mexico are only permitted to travel 20 miles north of the U.S./Mexico border. In Maricopa County, the MAG recommended corridor generally follows:

- § Interstate 8 to SR 85
- § SR 85 to I-10
- § I-10 to US Route 93

You can access the recommended corridor for Maricopa County from the MAG Web site at http://www.mag.maricopa.gov/pdf/cms.resource/canamexroutes_995.pdf.

According to the CANAMEX Corridor Coalition's 2001 working paper, "Task VI: Environmental Fatal Flaw Screening and International Regulatory Issues," "The Ports of Entry in each of the CANAMEX states have a mission to ensure compliance with motor carrier regulations; to provide assistance and information to the motor carriers; and to assist in the preservation of the highway system and the safety of the traveling public. This mission is accomplished through safety inspections and educational programs provided to commercial drivers and motor carrier companies. The states have ports of entry along the CANAMEX Corridor to enforce the laws and regulations of the state." You can view this document at http://www.canamex.org/PDF/Environmental_and_International_Issues.pdf.

For more information on the CANAMEX Corridor, it is suggested you contact, Marisa Walker, Executive Director, 1700 West Washington Street, Suite 600, Phoenix, AZ 85007 (phone: 602.771.1111 or e-mail: marisaw@azcommerce.com).

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9/19/2007

Sincerely,

Timothy Tait
Community Relations Project Manager
Arizona Department of Transportation
office 602.712.7070

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Jason Stephens

From: TCMRryan@aol.com

Sent: Saturday, September 01, 2007 4:25 PM

To: kkang@dot.state.az.us; MAG General Mailbox; Eric Anderson; bbrooks@az.gov; jharper@azleg.state.az.us; forum@aztrib.com; azgov@az.gov; jburges@azleg.state.az.us; burges@myexcel.com; jack@westmarc.org; eneville@dot.state.az.us; gcunningham@az.gov; trent.franks@houseenews.net; Jason Stephens; mayorhawker@cityofmesa.org; phil.gordon@phoenix.gov; pora@suncitywest.org; Randall.Overmyer@surpriseaz.com; Dennis Smith; Kelly Taft

Cc: rblendu@azleg.state.az.us; doug.maceachern@arizonarepublic.com; ed@glendaleaz.com; CTOC@azdot.gov; mary.peters@ost.dot.gov; Robert.Hollis@fhwa.dot.gov; senator_mccain@mccain.senate.gov; c.ullman@juno.com; mrsvanover@cox.net; editor@thewester.com; amity@westmarc.org

Subject: ****SPAM**** Proposal, with justifications, to cancel the subject meeting

SUBJECT: NOTIFICATION OF SPECIAL TELEPHONE CONFERENCE CALL MEETING AND TRANSMITTAL OF TENTATIVE AGENDA

REGARDING: MAG REGIONAL COUNCIL MEETING AT 10:00AM ON THURSDAY, SEPTEMBER 6, 2007 (great for employed citizens)

AGENDA ITEM 3. STATEWIDE ACCELERATION NEEDS (STAN) II ACCOUNT – INTEREST REIMBURSEMENT SUBACCOUNT

Chairman Cavanaugh and Members of the MAG Regional Council

The notes on the transportation item to be heard during the September 6, 2007 are quite inadequate. No mention was made of this citizen's comments on this subject both during the prior meeting's Call to the Public and this action item on the prior meeting's agenda. Furthermore, several members of the Regional Council made clear and compelling arguments that would have saved the taxpayers of three small towns having to pay any amount of the interest expense that would be incurred if some other party or parties borrowing millions against millions of future (inadequate) revenues that will accrue during under-funded periods of time to pay for the widening of I-10. The interest on the bonds, obviously, will be an added cost of widening Interstate 10 (I-10) used by international, interstate and inter-county cargo and passenger traffic. That's hardly an expense that should be allocated in any one of the four proposed methods to the taxpayers of three small towns.

As was clearly pointed out, the plan for highway construction during this 20-year period does not in any way cover the highway requirements of the forecast population growth of the MPO's region. This is a major oversight of the designated planning

organization, the MAG. The Regional Council has refused to even discuss in public several means of paying for the obviously needed highways and improvements to the under-built structures.

It has been pointed out that major intersections have been under-built even for the period during which they were designed and built. The Regional Council has not placed those oversights on their Agenda.

Now, the only reason this matter of having the taxpayers of three small cities, one not even located on I-10, pay millions of dollars extra, over and above what they normally pay for highway construction, is the requirement of the City of Phoenix to have votes at the prior meeting WEIGHTED on the basis of population, A HIGHLY UNUSUAL METHOD OF VOTING. The City of Phoenix also arranged for a significant portion of the Prop 400 highway tax to be diverted to its trolley car system, Valley Metro Rail, Inc. (VMRI) or whatever the Central Phoenix/East Valley light rail streetcar project is now called.

The logical way to solve the under-funding of not only the currently needed design and construction of new highway infrastructure but also the proper maintenance of the existing infrastructure (Note recent article in The Arizona Republic on this ADOT subject.) is to immediately increase the funding rate. Also, the Mayors should tell their constituents that a slower rate of population growth would hold down their tax increases. New zoning regulations for fewer homes per acre are sorely needed.

The public knows that traffic jams increase air pollution that increase sickness and increased medical costs, and increase the cost of time lost in the traffic jams. The public knows that inadequate highways increase the rate of traffic accidents that cause injuries and deaths. The unnecessary accidents increase the costs of insurance for all who register cars in Arizona. The concurrent injuries and deaths have additional costs of pain, suffering and lost time. Some Arizona roads have the highest accident rates in the United States. One stretch of I-10 has 30 accidents per month.

So, what is the Regional Council doing? Who are the special interests who arranged to have one third of the Prop 400 tax revenues taken away from highways and most of those diverted taxes on every sale in Maricopa County given to the Valley Metro Rail, Inc. and its consultants, contractors and employees?

Remember the advertisements for the light rail project before Prop 2000? The Friends of Transit said it would provide "rapid transit". What will be produced is a 20-mile run that is SCHEDULED to take an hour, if none of the 27 intermediate 20-second station stops take more than 20 seconds. That 20-MPH operation, with station stops less than a mile apart, definitely is not a rapid transit operation.

The public was shown in “open houses”, in direct mail advertisements, and other media some pictures of light rail stations that are not in the middle of the streets. Now, whoever was in charge of deciding where the VMRI stations will be put, has placed most of the VMRI stations in the middle of the streets.

Telling the taxpayers and future consumers of public transportation that the services to be created will be rapid and off the streets, and then to produce slow services that will be very dangerous, operating in the middle of the streets, is a “bait and switch” exercise that violates consumer protection laws.

The very dangerous configuration also slows traffic and increases the production of air pollutants. Other factors of the VMRI operations, like overriding the ITS, that keeps vehicular traffic moving, to give the 40 streetcars, moving at random times in all four directions, guaranteed green lights, will make major additions to the production of air pollutants and inconvenience thousands of drivers and passengers in cars, light trucks and other vehicles.

One sure way to solve the fundamental problem is not by TAKING FROM PETER TO PAY PAUL AND CHARGING SALLY, BARBARA AND SUSIE for the ill-conceived and costly borrowing exercise, is by telling the public what a mess the region’s designated transportation planners have created in Maricopa County’s finances. Given the assumed population growth in the current 20-year plan, the highway revenue forecast is short by tens of billions of dollars!

The Members of the Regional Council should tell their constituents that to properly fund the new highways and all of the needed highway maintenance, required to serve the forecast six million residents by the end of 2025, an “X” percent sales tax was required yesterday and a "Y" percent sales tax now should be enacted.

To reduce the forecast needs for funds for highways (and for hospitals, schools, colleges, libraries, police organizations, courts et al), the Mayors’ constituents could vote for new zoning restrictions that would drastically limit the population growth IN ALL AREAS OF MARICOPA COUNTY.

I suggest the hastily-planned meeting of the Regional Council be canceled.

Joseph B. Ryan
Sun City West, AZ

(623) 584-3300

Get a sneak peek of the all-new [AOL.com](#).

Jason Stephens

From: TCMRyan@aol.com
Sent: Sunday, September 02, 2007 11:10 AM
To: tbee@azleg.state.az.us; tboone@azleg.state.az.us; rburns@azleg.state.az.us; shuffman@azleg.state.az.us; russellpearce@cableaz.com; jeff.flake@mail.house.gov; jhart@azleg.state.az.us; Jflake@aol.com; david.krietor@phoenix.gov; jeanlynn@juno.com; Jason Stephens; mayorhawker@cityofmesa.org; Mary.Peters@ost.dot.gov; phil.gordon@phoenix.gov; pora@suncitywest.org
Cc: carols@peoriaaz.com; mleyshon@aztrib.com; Maureen.west@arizonarepublic.com; opinions@arizonarepublic.com; Randall.Overmyer@surpriseaz.com; janenbillpod@cybertrails.com
Subject: ****SPAM**** Suggestions to reduce costs of highways and, indirectly, auto insurance

Dear Officials of the Arizona Government and Editors of The Arizona Republic:

THE OPINIONS OF JOE RYAN, A RETIRED TRANSPORTATION PLANNER

The front-page article of The Arizona Republic (TAR), September 1, 2007, headlined "Arizona's tax revenue falling", may portend deadly results. Another recent TAR article reported the Arizona Department of Transportation (ADOT) has not been able to perform highway maintenance at the desired level for lack of adequate funding. The legislature could reduce the deadly effects of having too little funding for the maintenance of existing highways and the building of much-needed new highways by eliminating two laws. Almost all residents of Arizona are unaware that these laws exist. The illogical laws were written and passed by the Arizona legislature in the same fashion as was the infamous "Alt Fuel Legislation".

One Arizona law is contrary to the federal law that states when federal funds are used to acquire land for highway infrastructures, the price paid for the right-of-way must not exceed the going market price of the land at the time it is purchased. Years ago, when it became known where some Arizona highways were going to be built, parties who purchased tracts of the affected land had a unique law written and passed by the Arizona legislature. This Arizona law requires an employee of the government to negotiate with the landowner the price to be paid for the right-of-way on the basis of what the land **WOULD BE WORTH AFTER THE GOVERNMENT INFRASTRUCTURE IS COMPLETED!** This law creates an outrageous "give away" of taxpayers' money. Since a new highway will increase the value of nearby land, affected landowners reasonably might pay the State or the County for the privilege of giving up their land for the right-of-way regardless of when the government's facility will be designed and built!

The second existing law ensures the highway will be built promptly so that developers of adjacent land will be able to sell the rest of their land at a maximum profit. With the law's highway completion deadline, the land developers will be able to affect a return on their investments in land and new homes shortly after the homes are completed. The irrational law requires the ADOT (and the MCDOT) to complete the highway within two years after the right-of-way is purchased. This law precludes the many important benefits of long-range planning. Arizona governments should purchase right-of-ways long before a multi-modal transportation system will be built through the wide-open spaces. That notice will allow others to plan for major public facilities that will be needed by the three million future County residents. The new residents (and more "snow birds") will need additional very basic facilities such as State and County colleges (including medical schools), town libraries, police and fire department structures, private hospitals and private clinics. It makes common sense for

governments to purchase ample space for highways and, most importantly, for high-speed interchanges and multi-modal terminals many years before they will be needed.

An example of today's major areas of traffic congestion, caused by the law requiring the land for a major intersection be purchased 24 months before it will be designed and built, is the intersection of Loop 101 and I-17. Every day, at that relatively young intersection, there are major traffic jams caused both by the sharp turning radius of turning ramps, the inadequate width of turning ramps, and the short length of acceleration lanes for merging the entering, accelerating traffic into the high-speed highway lanes beyond the interchange. There were traffic back-ups before and beyond that interchange the day after it was completed. To reduce the effects of under-building that critical infrastructure, a few of the one-lane ramps were re-striped to become two-lane ramps with no breakdown lane.

Inadequate highways and interchanges increase the rate of traffic accidents, injuries and deaths. The results of those two irresponsible laws are appalling. Some Arizona roads have the worst accident rates in the United States. If the Arizona legislature eliminated both of those laws, Arizona's tax revenue falling would not have as many deadly results.

I ask the Arizona Republic Editors to take actions that will lead to educating the public on ways to reduce the costs of highway development. Tax dollars will go farther when the average cost-per-mile of Arizona highways is reduced. More and better highways will lower accident and insurance rates for everyone's benefit.

I ask the Arizona Legislators, with that knowledge and public support, by two unanimous votes, to eliminate those two "special interest" laws.

/s/ Joe Ryan

Joseph B. Ryan
Sun City West

Get a sneak peek of the all-new AOL.com.

Jason Stephens

From: Timothy Tait [TTait@azdot.gov]
Sent: Monday, September 10, 2007 4:54 PM
To: jochim1@cox.net
Cc: Jason Stephens; Bill Hayden
Subject: RE: South Mountain Inquiries
Attachments: Phoenix Traffic Count Map.pdf; General LOS Guidelines for Urban Areas.pdf

Mr. Jochim,

I have attached two files for your use. The first is the City of Phoenix Traffic Count Map from 2005 that will give you the current vehicles per day counts for the Phoenix arterial street system, including the Ahwatukee area. This map can also be accessed at www.phoenix.gov/ftpalias/payf/vmap05.pdf.

The second file I have attached is an example of level of service guidelines that are being used by the Florida Department of Transportation and are used for planning level analysis of freeways, highways and arterials in urbanized areas. I have highlighted the area that would be used for the evaluation of 32nd Street, but the rest of the table would be appropriate for other areas of the project, including freeway operations on the proposed South Mountain Freeway. If you would like more information on the development and appropriate uses for the level of service guidelines, please visit the Florida Department of Transportation's Web site at www.dot.state.fl.us/planning/systems/sm/los/default.htm.

Based on what is shown in the level of service guidelines, 32nd Street would operate at LOS B today and in the future with or without the South Mountain Freeway. This is because in all cases, the traffic would be less than 29,300 vehicles per day, but greater than 4,800 vehicles per day.

Once again, thank you for your interest in this project. Please let me know if you have any additional questions.

Sincerely,

Timothy Tait
 Community Relations Project Manager
 Arizona Department of Transportation
 Office 602.712.7070

From: Jim Jochim [mailto:jochim1@cox.net]
Sent: Saturday, August 25, 2007 7:58 AM
To: Timothy Tait
Cc: Jason Stephens; Bill Hayden; Jochim1@aol.com; Jim Jochim; Marisa P. Walker
Subject: Re: South Mountain Inquiries

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Jim Jochim
1231 E. Desert Flower Lane
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T # 480-460-2535
Fax # 480-460-2898.

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To: Jim Jochim
Cc: Jason Stephens ; Bill Hayden
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Director, 1700 West Washington Street, Suite 600, Phoenix, AZ 85007 (phone: 602.771.1111 or e-mail: marisaw@azcommerce.com).

Your final question asked whether a constructed South Mountain Freeway would actually reduce traffic on the surrounding arterial streets and referred to the "FY 2007 Final Phase Input Opportunity Report" that contained information that, "Additionally, construction of the South Mountain Freeway reduces traffic on the surrounding arterial street network."

The statement about the reduction of arterial street traffic is a general remark looking at the overall arterial street network. The City of Phoenix conducted a traffic study looking at this issue. Some locations would have higher volumes with the freeway, but the volume on these streets is still projected to be low enough as not to result in poor traffic operations. The major roads that would be parallel to the freeway would see a reduction in traffic. Once again, thank you for your interest in this proposed freeway. Please do not hesitate to contact me if you have additional questions. Thank you.

Sincerely,

Timothy Tait

Community Relations Project Manager

Arizona Department of Transportation

office 602.712.7070

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MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

2007 Annual Report on the Status of the Implementation of Proposition 400

SUMMARY:

Arizona Revised Statute 28-6354 requires that MAG issue an annual report on the status of projects funded by the half-cent sales tax authorized by Proposition 400. The 2007 Annual Report is the third report in this series. State law also requires that MAG hold a public hearing on the report after it is issued. It is anticipated that a public hearing on the Draft 2007 Annual Report will be conducted in November 2007. At the October Management Committee Meeting, MAG staff will report on the key findings and issues identified in the Draft 2007 Annual Report.

The Draft 2007 Annual Report on the Status of the Implementation of Proposition 400 addresses project construction status, project financing, changes to the MAG Regional Transportation Plan, and criteria used to develop priorities. In addition, background information is provided on the overall transportation planning, programming and financing process. All projects for the major transportation modes, as defined in the MAG Regional Transportation Plan, are being monitored, whether they specifically receive sales tax funding or not. The annual report process draws heavily on data from the Freeway/Highway, Arterial Street, and Transit Life Cycle Programs.

PUBLIC INPUT:

It is anticipated that a public hearing on the Draft 2007 Annual Report will be held in November 2007 at the MAG office.

PROS & CONS:

PROS: Preparation of the Annual Report on the Status of the Implementation of Proposition 400 is required by State law.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The information in the Annual Report represents a "snapshot" of the status of the Proposition 400 program. As new information becomes available, it will be incorporated into subsequent annual updates of the Report.

POLICY: The Annual Report process represents a valuable tool to monitor the Regional Transportation Plan and identify changing conditions that may require plan and program adjustments.

ACTION NEEDED:

Information and discussion.

PRIOR COMMITTEE ACTIONS:

Transportation Review Committee: The Draft 2007 Annual Report has been included on the MAG Transportation Review Committee agenda for September 27, 2007, for information and discussion.

CONTACT PERSON:

Roger Herzog, MAG, (602) 254-6300.

DRAFT 2007 ANNUAL REPORT ON THE STATUS OF THE IMPLEMENTATION OF PROPOSITION 400 SUMMARY OF FINDINGS AND ISSUES

The *Draft 2007 Annual Report on the Status of the Implementation of Proposition 400* has been prepared by the Maricopa Association of Governments (MAG) in response to Arizona Revised Statute (ARS) 28-6354. ARS 28-6354 requires that MAG annually issue a report on the status of projects funded through Proposition 400, addressing project construction status, project financing, changes to the MAG Regional Transportation Plan, and criteria used to develop priorities. In addition, background information is provided on the overall transportation planning, programming and financing process. The key findings and issues from the 2007 Annual Report are summarized below.

MAG REGIONAL TRANSPORTATION PLAN

The MAG Regional Transportation Plan (RTP) provides the blueprint for the implementation of Proposition 400. By Arizona State law, the revenues from the half-cent sales tax for transportation must be used on projects and programs identified in the RTP adopted by MAG. The RTP identifies specific projects and revenue allocations by transportation mode, including freeways and other routes on the State Highway System, major arterial streets, and public transportation systems.

- The 2007 Update of the RTP complies with new Federal transportation planning regulations required after July 1, 2007.

On July 25, 2007, the MAG Regional Council approved the MAG Regional Transportation Plan - 2007 Update and the MAG FY 2008-2012 Transportation Improvement Program. The 2007 RTP Update was structured to comply with the regional transportation planning requirements of the Federal Safe, Accountable, Flexible, Efficient, Transportation Equity Act - A legacy for Users (SAFETEA-LU). These requirements must be met for plans adopted or amended after July 1, 2007. The 2007 RTP Update addresses several new topics to respond to SAFETEA-LU, including consultation on environmental mitigation and resource conservation, transportation security, and an updated public participation process.

- A major amendment to delete State Route (SR) 153/Sky Harbor Expressway from the RTP was approved by the MAG Regional Council, contingent upon air quality conformity analysis.

During FY 2007, a major amendment to the RTP was proposed to delete State Route (SR) 153/Sky Harbor Expressway from the RTP, and shift the available funding to improvements on SR 143/Hohokam Expressway. This proposal resulted from recent analyses that indicate that the original concept for SR 153 as a connector to I-10 at 40th Street would no longer be effective. On July 25, 2007, the MAG Regional Council approved the proposed amendment, after completion of a thirty-day review period and agency consultation as set forth in Arizona Revised Statute (A.R.S.) 28-6353. This approval is contingent upon air quality conformity analysis of the amendment, which will occur later in 2007.

- Project phasing for the development of the Northwest Extension of the light rail transit (LRT) system was adjusted.

As part of the 2007 Update of the RTP, the LRT Northwest Extension will be implemented in two phases instead of a single project. The first phase will be from 19th Ave./Bethany Home Rd. to Dunlap Ave. (completion in 2012), and the second phase will be from Dunlap Ave. to 25th Ave./Mountain View Rd. (completion 2017). These changes were implemented to maintain flexibility relative to other future extensions of the LRT system and provide for the more efficient use of Federal CMAQ funds.

- Work continued on the transportation framework studies.

During FY 2007, work continued on two transportation framework studies, covering the West Valley and parts of Pinal County. The findings of these studies, which are anticipated in FY 2008, will be a resource for possible adjustment and expansion of the RTP, as part of future updates of the Plan. In addition, during FY 2007 work was initiated on "Building a Quality Arizona: Statewide Intrastate Mobility Reconnaissance Study for the state of Arizona". MAG is managing this study as a partner with ADOT, as well as the Councils of Governments and Metropolitan Planning Organizations covering all of Arizona.

- The 2007 Update of the RTP meets air quality conformity requirements.

MAG conducted a technical air quality analysis that demonstrated that the 2007 RTP Update and the MAG FY 2008-2012 Transportation Improvement Program meet the air quality conformity requirements of applicable State and Federal air quality implementation plans. The U.S. Department of Transportation, in coordination with the U.S. Environmental Protection Agency, concurred with this finding on August 16, 2007.

HALF-CENT SALES TAX AND OTHER TRANSPORTATION REVENUES

The half-cent sales tax for transportation approved through Proposition 400 is the major funding source for the MAG Regional Transportation Plan (RTP), providing over half the revenues for the Plan. In addition to the half-cent sales tax, there are a number of other RTP funding sources, which are primarily from State and Federal agencies.

- Fiscal Year 2007 receipts from the Proposition 400 half-cent sales tax were 6.7 percent higher than the full year receipts from the half-cent tax in FY 2006.

During FY 2007, receipts from the Proposition 400 half-cent sales for transportation totaled \$391 million. This amount is 6.7 percent higher than the full year receipts from the half-cent tax in FY 2006. (During the first half of FY 2006, the half-cent tax was implemented under Proposition 300.) The growth in receipts on a monthly basis between FY 2006 and 2007 has slowed from 10.9 percent in July 2006 to 1.0 percent in June 2007.

- Forecasts of Proposition 400 half-cent revenues are 5.5 percent higher for the period FY 2008 through FY 2026, compared to the 2006 Annual Report.

Future half-cent revenues for the period FY 2008 through FY 2026 are forecasted to total \$14.4 billion. This amount is 5.5 percent higher than the forecast for the same period presented in the 2006 Annual Report. ADOT will update the half-cent forecasts in the latter part of calendar 2007, taking into account recent slowing in revenue growth as appropriate.

- Forecasts of ADOT Funds dedicated to the MAG area for FY 2008 through FY 2026 are 2.2 percent higher than the 2006 Annual Report estimate.

The forecast for ADOT funds totals \$7.8 billion for FY 2008 through FY 2026, which is 2.2 percent greater than the 2006 Annual Report forecast. This funding source represents nearly one-half of the total funding for the Freeway/Highway Life Cycle Program.

- Forecasts of MAG Federal Transportation Funds for FY 2008 through FY 2026 are unchanged from the 2006 Annual Report estimate.

MAG Federal Transportation Funds for FY 2008 through FY 2026 are forecasted to total \$5.5 billion. This estimate is unchanged from the amount projected in the 2006 Annual Report. These funding sources have been allocated to both transit and highway projects in the Regional Transportation Plan.

- STAN funding was revised by the Legislature to include reimbursement for interest expenses.

As part of the FY 2008 State budget, the Arizona State Legislature transferred \$62 million from the State Highway Fund to the State Transportation Acceleration Needs (STAN) account. In House Bill 2793, the Legislature established a subaccount for the reimbursement of interest expenses incurred by or on behalf of a local jurisdiction for the acceleration of transportation projects. The bill allocated \$10 million from the \$31 million in funding given to the MAG region for this purpose.

FREEWAY/HIGHWAY LIFE CYCLE PROGRAM

The Freeway/Highway Life Cycle Program extends through FY 2026 and is maintained by the Arizona Department of Transportation (ADOT) to implement freeway/highway projects listed in the MAG Regional Transportation Plan (RTP). The program utilizes funding from the Proposition 400 half-cent sales tax extension, as well as funding from State and Federal revenue sources.

- The Red Mountain Freeway (Loop 202) was completed between University Dr. and US 60.

During FY 2007, construction on the Red Mountain Freeway (Loop 202) was completed on the north half of the system interchange with US 60, and on the segment between Southern Ave. and University Dr. These projects were opened to traffic in June 2007. The segment between University Dr. and Power Rd. was also under construction in FY 2007 and is anticipated to be open to traffic by Fall 2008. These projects represent the final segments in the Proposition 300 - Regional Freeway Program.

- Additional general purpose and HOV lanes on the Superstition Freeway (U.S. 60) were completed between Gilbert Rd. and Power Rd.

Construction of addition general purpose and high occupancy vehicle (HOV) lanes from Gilbert Rd. to Power Rd. on the Superstition Freeway was completed in FY 2007, and opened to traffic June 2007.

- A number of major freeway/highway construction projects were advertised for bids during FY 2007.

During FY 2007, projects were advertised for bids covering:

- Higley Rd./US 60: TI improvements
- 43rdAve.-51st Ave./I-10: TI improvements
- Carefree Hwy./I-17: TI improvements
- Jomax Rd.-Dixileta Dr./I-17: New TI

- 64th St./Loop 101: New TI
 - Bullard Ave./I-10: New TI
 - SR 51 (Shea Blvd. to Loop 101): New HOV lanes (including HOV ramp connections at Loop 101)
 - Loop 101 (Princess Dr. to Red Mountain Fwy.): New HOV lanes
 - SR 85 (MC 85 to Southern Ave. and MP 139.01 to 141.71): Widen to 4-lanes
 - SR 87 (Forest Bndry. to New Four Peaks Rd.): Road improvements
 - SR 93 (Wickenburg Bypass): New roadway
- Projects on a number of freeways were accelerated through the use of STAN funding.

On December 13, 2006, the MAG Regional Council approved a set of projects to be funded from the Statewide Transportation Acceleration Needs (STAN) Account. Specific projects advanced included:

- I-10 (Verrado Way to Sarival Ave.): General Purpose lanes, advanced from 2023 to 2009.
 - I-17 (Anthem Wy. to Carefree Hwy.): General Purpose Lanes, advanced from 2024 to 2009.
 - Loop 101/Pima Fwy. (Tatum Blvd. to Princess Dr.): HOV Lanes, advanced from 2011 to 2008.
 - Loop 101/Price Fwy. (Baseline Rd. to 202/Santan Fwy.): HOV Lanes, advanced from 2010 to 2008.
 - Loop 303 (Bell Rd. T.I.): Partial Interchange, advanced from 2011/15 to 2008.
 - Loop 303 (Cactus Rd. and Waddell Rd.): Bridge Structures, advanced from 2011/15 to 2008.
 - SR 802/Williams Gateway Fwy. (202/Santan Fwy. to Meridian Rd.): Major Right-of-Way Protection, advanced from 2016/20 to 2007.
- STAN funding was allocated to reimburse interest expenses in connection with the acceleration I-10 widening projects.

On September 6, 2007, the MAG Regional Council approved providing 70 percent (\$7 million) of the funding available through the STAN subaccount for interest reimbursement to participating West Valley cities for their share of the interest cost for the acceleration of widening projects on I-10 between Loop 303 and Loop 101. Thirty percent (\$3 million) was allocated to cover a portion of the regional share of interest costs for the acceleration of the projects.

- Estimated future costs for the Freeway/Highway Life Cycle Program are in balance with projected revenues.

For the remainder of the Freeway/Highway Life Cycle Program, which covers the period FY 2008 through FY 2026, projected revenues are in balance with estimated future projects costs, with revenues exceeding costs by approximately \$237 million. However, trends toward increasing project costs, which were reported in the both the 2005 and 2006 Annual Reports, continue to be an issue.

- Material cost increases were experienced for a number of FY 2007 projects and projects in the FY 2008-2026 Life Cycle Program.

During FY 2007, the MAG Regional Council approved cost increases requested by ADOT totaling \$204 million for the freeway/highway projects, which were programmed for FY 2007. It was determined that the cost increases could be accommodated within available cash flow. Also, cost increases for certain projects in FY 2008-2026 resulted in an increase in the total program cost of \$740 million. These changes were included in the MAG Regional Transportation Plan - 2007 Update and the MAG FY 2008-2012 Transportation Improvement Program, which were approved by the MAG Regional Council on July 25, 2007.

- Project cost increases and extended environmental/design study schedules will have a substantial impact on the ability to deliver the Freeway/Highway Life Cycle Program within the originally anticipated schedule. This will require a review and possible adjustment of the Program in the near future.

During the past several years, major cost increases for the construction of roads, buildings and other capital facilities have been experienced in Arizona, and throughout the United States as well. While the rate of these increases has recently moderated somewhat, unit costs for right-of-way, construction materials, and project bids remain greatly in excess of what they were just a few years ago. To date, it has been possible to accommodate these cost increases, and estimated future costs are currently within projected revenues for the Freeway/Highway Life Cycle Program.

However, additional major cost increases are expected in the future, as scoping, design concepts, and environmental assessments are completed. Preliminary information from ongoing studies on the Loop 202 (South Mountain Freeway), Loop 303, SR 801 (I-10 Reliever) and the I-10 (Local/Express Lanes) indicate that the total cost of these projects could be in the range of \$2-3 billion more than the funding currently allocated to them in the Life Cycle Program. In addition to cost increases, the time required to complete environmental and design studies on the South Mountain Freeway and the I-10 Local/Express Lanes has been greater than originally anticipated. These factors will have a substantial impact on the ability to deliver the Freeway/Highway Life Cycle Program within the originally

anticipated schedule. This will require a review and possible adjustment of the Program in the near future.

- There are a number of possible approaches, or combination of approaches, to address the potential imbalance between Freeway/Highway Life Cycle Program costs and revenues.

Maintaining the cost-revenue balance in the Freeway/Highway Life Cycle Program will represent a continuing challenge for the planning and programming process. This effort will require effective financing and cash flow management, phasing of project scopes, and Plan and Program adjustments as may be appropriate. Potential approaches to this issue include:

- Financial approaches that enhance revenues during the program period, such as more aggressive bonding of future revenues and public/private partnerships.
- Project phasing strategies that produce project scopes and designs that are in scale with available funding, so that plan elements can be implemented within future funding levels.
- Extension of the planning and programming period using adopted project priorities, which provides further funding for project implementation.

ARTERIAL STREET LIFE CYCLE PROGRAM

The Arterial Street Life Cycle Program (ALCP) extends through FY 2026 and is maintained by the Maricopa Association of Governments (MAG) to implement arterial street projects in the MAG Regional Transportation Plan (RTP). The Program receives major funding from both the Proposition 400 half-cent sales tax and Federal highway programs. Although MAG is charged with the responsibility of administering the overall program, the actual construction of projects is accomplished by local government agencies that provide funding to match regional level revenues.

- The Arterial Street Life Cycle Program Procedures and Project Listing were updated during FY 2007.

On December 13, 2006, MAG adopted changes to the Arterial Life Cycle Program Policies and Procedures to facilitate efficient administration of the Program. In addition, on June 27, 2007 the FY08 ALCP project listing was adopted to reflect updated information regarding project development status.

- During FY 2007, \$14 million in reimbursements were distributed to local governments from the Arterial Street Life Cycle Program, and work is continuing for reimbursements in FY 2008.

Three jurisdictions received reimbursements for project work during FY 2007 totaling over \$14 million. This brings the total reimbursements to \$21 million since the initiation of the Program. A total of sixteen project agreements were executed in FY 2007. This brings the total of project agreements to eighteen. It is anticipated that an additional 20 agreements will be executed during FY 2008. During FY 2008, it is anticipated that a total of six jurisdictions will receive reimbursements amounting to approximately \$75 million.

- Work will be proceeding on a broad range of projects in the Arterial Street Life Cycle Program.

During the period FY 2008 through FY 2012, work will be proceeding on 62 different arterial street segments. Various stages of work will be conducted on these projects, including 62 with design activity, 59 with right-of-way acquisition, and 46 with construction work at some time during the five-year period.

- The total estimated future regional revenue disbursements for ALCP projects are in balance with projected revenues.

For the remainder of the Arterial Street Life Cycle Program, which covers the period FY 2008 through FY 2026, projected revenues are in balance with estimated future projects disbursements, with revenues exceeding costs by approximately eleven percent through FY 2026. Since the ALCP is based on the principle of project budget caps, with a fixed amount of regional funding allocated to individual projects (on an inflation adjusted basis), it is anticipated that the balance between estimated future disbursements and projected revenues can be maintained in the future.

- Significant construction and right-of-way cost increases may result in some arterial street projects being reduced in scope or delayed.

Agencies implementing ALCP projects are continuing to encounter cost increase issues, as a result of the major cost increases for the construction that have been experienced throughout the United States. Since the regional funding contribution to ALCP projects remains fixed (adjusted for inflation), the share of total costs that must be borne by local jurisdictions has increased from 31.8 percent in 2005 to 42.2 percent in 2007. This raises questions regarding the ability of implementing agencies to provide the matching share for all the projects contained in the ALCP.

- MAG staff has taken steps to help facilitate the processing of Federally funded ALCP projects.

Concerns have been raised regarding the potential effects of the Federal aid process on project implementation schedules. During FY 2007, MAG staff has worked closely with ADOT to improve this process and will do so on a continuing basis. In addition, MAG staff has conducted a series of workshops with local agencies aimed at enhancing local agency familiarity with Federal funding procedures, and has established a website to assist local agencies to track the status of Federal aid projects and obtain detailed information on project processing procedures.

TRANSIT LIFE CYCLE PROGRAM

The Transit Life Cycle Program is maintained by the Regional Public Transportation Authority (RPTA) and implements transit projects in the MAG Regional Transportation Plan. The RPTA maintains responsibility for administering half-cent revenues deposited in the Public Transportation Fund for use on transit projects, including light rail transit (LRT) projects. Although RPTA maintains responsibility for the distribution of half-cent funds for light rail projects, the nonprofit corporation of Valley Metro Rail, Inc. was created to oversee the design, construction and operation of the light rail starter segment, as well as future corridor extensions to the system.

- New express and Supergrid bus routes were added to the system.

On July 23, 2007, two additional express routes and two Supergrid routes began service. Route 572, (Surprise/Scottsdale Express) began service between Bullard Ave. and the Scottsdale Airpark via Bell Rd. and Loop 101. Route 573 (North Glendale Express) began service between North Glendale and downtown Phoenix via Loop 101 and I-10. Both routes operate bi-directionally with both in-bound and outbound trips during the morning and afternoon peak travel periods. The two Supergrid routes included Route 156 (Chandler Boulevard), which was extended east to Williams Gateway Airport in Mesa, and Route 70, (Glendale/24th St.), which was extended west to Luke Air Force Base. Both Supergrid routes feature consistent levels of service across all served jurisdictions, which is made possible by funding from Proposition 400. These routes were in addition to Route 72 (Scottsdale/Rural Rd.), which was initiated in July 2006.

Rural connector service has also been initiated. One route, Route 685, operates between Gila Bend and West Phoenix and was initiated in FY 2006. The second route, Route 660, operates between Wickenburg and Glendale and was initiated in FY 2007.

- Work is continuing on schedule for the construction of the Light Rail Transit (LRT) Minimum Operating Segment (MOS).

This facility will extend from Spectrum Mall to West Mesa. Construction and system testing and start-up are scheduled to be completed in 2008. Service is scheduled to begin for the entire system in December 2008. Half-cent sales tax money from Proposition 400 will not be utilized to pay for major route construction of the MOS, but is allocated toward certain elements of the support infrastructure (regional park-and-rides, bridges, vehicles, and for the cost to relocate utilities).

- The LRT Northwest Extension will be implemented in two phases.

After considerable study, the City of Phoenix asked Valley Metro to break the construction of the Northwest Extension into two phases. The first phase would extend to 19th Ave./ Dunlap Ave. and be completed in FY 2012. The second phase would extend west on Dunlap Ave. then north on 25th Ave. to Mountain View Rd. and would be completed by FY 2017. This change was approved by the Valley Metro Board of Directors in April 2007 and incorporated into the MAG Regional Transportation Plan in July 2007.

- RPTA continued planning work for new Bus Rapid Transit (BRT) routes.

The Main Street Bus Rapid Transit (BRT) Corridor Study was completed in FY 2007. The study defined the operational and capital requirements of the BRT line that will operate in Mesa along Main St. and Power Rd. The route will extend from the end-of-line LRT station at Sycamore St. in west Mesa to the Superstition Springs Mall transit center in east Mesa. With the completion of this study, the focus has now moved to design and construction of capital improvements within the project corridor, and the procurement of the associated bus fleet. Start of service on the Main Street BRT will coincide with the start of service of the initial operating segment of the LRT in December, 2008.

In early FY 2008, RPTA will begin work on the Arizona Ave. Design Concept Report, as well as the Comprehensive Arterial BRT Study. The Arizona Ave. service will be the second BRT line implemented under the RTP. Service on this line is scheduled to begin in FY 2011. The Comprehensive Arterial BRT Study will define the operational parameters of the arterial BRT network. It will also define how the system will integrate with Supergrid, fixed route bus, and LRT service to maximize the operational efficiencies of these transit networks.

- Valley Metro Rail Planning continued with necessary planning studies to implement future LRT extensions.

An I-10 West Corridor Study is underway to identify right-of-way opportunities for the placement of transit service within the I-10 corridor. Based on results of the study, a more detailed Alternatives Analysis will be initiated at a future date. In addition, an LRT Configuration Study is evaluating the operational characteristics and needs of the full 57.7 mile LRT system identified in the Regional Transportation Plan (RTP). An associated effort, the Glendale Extension Study, will assess options for the Glendale LRT extension identified in the RTP. The alignment options being evaluated include service from I-10 to the stadium complex north of Bethany Home Rd., service to downtown Glendale, or service to the ASU west campus on Thunderbird Rd.

A Main Street Alternatives Analysis was initiated in FY 2006 and will be completed in FY 2008. This study will define the alignment and technology utilized for the high capacity transit extension identified in the RTP that will extend from the current end-of-line LRT station at Sycamore St. to the vicinity of Mesa Dr.

- Estimated future costs for the Transit Life Cycle Program are in balance with projected revenues.

For the remainder of the Transit Life Cycle Program, which covers the period FY 2008 through FY 2026, projected revenues are in balance with future projects costs, with revenues exceeding costs by approximately \$27 million through FY 2026.

- Transit service and capital cost increases will represent an ongoing challenge for the Transit Life Cycle programming process.

The cost of a number of key elements in the Transit Life Cycle Program has increased between the 2006 Annual Report and the 2007 Annual Report. The net total of these cost changes amounts to \$826 million. Given recent trends of escalating wages and fuel prices, pressure will increase to balance operations costs with available revenues. Similarly, recent increases for right-of-way and construction materials will continue to drive up costs for transit capital facilities, as they have in the freeway and arterial programs. Costs for the Transit Life Cycle Program will need to be evaluated on a continuing basis as the program is implemented, and program adjustments made as warranted to maintain the cost/revenue balance.

- The outlook for Federal discretionary funding for light rail extensions will require continuous monitoring.

As noted in previous Annual Reports, a large part of the future funding for the LRT system extensions is assumed to be from awards by the US Department of Transportation through the discretionary "New Starts Program". This funding is over-and-above the Federal funding contained in the 20-mile starter

system Full Funding Grant Agreement. The timing and amounts of light rail transit new start monies coming to the MAG region will be subject to a highly competitive process at the federal level. The prospects for awards from this program will require careful monitoring.

PERFORMANCE MONITORING PROGRAM

The MAG Transportation System Performance Monitoring and Assessment Program has been established to provide a framework for reporting performance at the system and project levels, and serve as a repository of historical, simulated and observed data for the transportation system in the MAG Region.

- The Regional Public Transportation Authority has established a specific set of performance measures to monitor and evaluate bus and rail systems in the region.

The RPTA has conducted a Service Efficiency and Effectiveness Study (SEES). The SEES framework proposed performance targets, which establish a baseline of performance expectation for Fixed Route bus (systemwide); Fixed Route bus at the route level; Paratransit; and Light Rail Transit (LRT). These performance measures and performance targets are being incorporated into an annual Transit Performance Report, beginning in June 2007.

- MAG will initiate a consultant study in FY 2008 to further refine and focus the performance monitoring approach for the regional roadway network.

The FY 2008 MAG Planning Work Program includes a study to further refine and focus the performance monitoring approach for the regional roadway network. As part of this effort, the program will consolidate the data collection efforts related to system performance and develop an archive of historic and current performance data sets that can be used for future evaluation and analysis. It is anticipated that a group of measures will be consistently reported as the implementation of the RTP moves forward. Based on the findings of this study and input from the Transit Performance Report, it is anticipated that MAG will annually produce a Transportation System Monitoring and Performance Report.



September 25, 2007

TO: Members of the MAG Management Committee

FROM: Lindy Bauer, Environmental Director

SUBJECT: AIR QUALITY UPDATE

In accordance with the Clean Air Act, the MAG Five Percent Plan for PM-10 is required to reduce PM-10 particulate emissions by five percent per year until the standard is attained at the monitors. The plan is due to the Environmental Protection Agency (EPA) by December 31, 2007. To date, commitments to implement measures have been received from the Arizona Department of Transportation (ADOT), Maricopa County and all of the cities and towns in the PM-10 nonattainment area. The Legislature also passed SB 1552 which contains several PM-10 measures. These committed measures are being evaluated to determine the air quality impacts. In addition, the MAG Eight-Hour Ozone Plan was submitted to the EPA by June 15, 2007. On June 20, 2007, EPA proposed to strengthen the eight-hour ozone standards and finalize them by March 12, 2008. Background information is provided below.

Five Percent Plan for PM-10

In accordance with the Clean Air Act, the Five Percent Plan for PM-10 is due to the Environmental Protection Agency by December 31, 2007. The plan is required to reduce PM-10 emissions by five percent per year until the standard is met. In order to attain the standard, the region needs three years of clean data at the monitors (2007, 2008, 2009). In 2006, there were approximately twenty-one exceedance days of the twenty-four hour PM-10 standard. It is important to attain the PM-10 standard as quickly as possible or additional years of five percent reductions may need to be included in the plan.

To date, commitments to implement measures have been received from ADOT, Maricopa County and all of the cities and towns in the PM-10 nonattainment area. The Legislature also passed the SB 1552 Air Quality Program which contains several PM-10 measures (see Attachments One and Two). Some of the measures apply to Area A and some apply to the Serious Area PM-10 nonattainment area or other areas. A map depicting Area A and the nonattainment areas is included in Attachment Three. For example, the bill specifies that:

- Cities and towns in Area A and Maricopa County are required to develop and implement plans to stabilize unpaved roads, alleys and unpaved shoulders on targeted arterials by January 1, 2008.

- Cities and towns in Area A and Maricopa County are required to adopt, or amend codes or ordinances to stabilize unpaved parking areas, restrict vehicle parking and use on unpaved or unstabilized vacant lots, and ban the blowing of landscape debris into public roadways by March 31, 2008.
- Cities and towns in Area A are required to adopt, implement and enforce an ordinance that prohibits the operation of off-highway vehicles on unauthorized unpaved surfaces by March 31, 2008.

SB 1552 also contains reporting requirements for local governments.

- Cities and towns and any county in a Serious PM-10 nonattainment area are required to submit reports on particulate enforcement to the Joint Legislative Budget Committee on June 1 and December 1 of 2008 and 2009.
- In addition, the bill establishes a State Air Quality Committee which will review the implementation and enforcement of the air quality control measures as part of its duties.

The bill includes several other PM-10 measures. They address contract requirements for sweeping city streets with PM-10 street sweepers certified by the South Coast Air Quality Management District, agricultural best management practices, dust control training and coordinators, voluntary diesel retrofit program, covered loads, open and unlawful burning, construction contracts with public entities and a dust-free developments program. Collectively, SB 1552 and the local government commitments are being evaluated to determine the air quality impacts for the MAG Five Percent Plan for PM-10.

Eight-Hour Ozone Plan

The MAG Eight-Hour Ozone Plan was submitted to EPA by the June 15, 2007 deadline. Based upon air quality modeling, the plan demonstrated attainment of the standard with existing measures in place. In order to meet the June 15, 2009 attainment date, the region will need clean data at the monitors in 2006, 2007, and 2008. To date, the region has three consecutive three year periods of data with no violating monitors. On July 23, 2007, EPA representatives indicated that EPA may pursue a Clean Data Finding for the region indicating that the eight-hour ozone standard has been met. The Maricopa Association of Governments would then initiate work to develop a Maintenance Plan.

Also, on June 20, 2007, the EPA proposed to strengthen the eight-hour ozone standards and finalize them by March 12, 2008 (see Attachment Four). According to the EPA schedule, it is anticipated that states would make recommendations for areas to be designated by June 2009. The final nonattainment area designations would occur by June 2010 and plans would be due by 2013. Attainment dates would range from 2013 to 2030 depending upon the severity of the problem.

If you have any questions, please do not hesitate to contact me at (602) 254-6300.

Conference Engrossed

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SENATE BILL 1552

AN ACT

AMENDING SECTION 9-500.04, ARIZONA REVISED STATUTES; AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.27; AMENDING SECTIONS 11-871 AND 11-872, ARIZONA REVISED STATUTES; AMENDING TITLE 11, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-877; AMENDING SECTIONS 28-1098 AND 28-6705, ARIZONA REVISED STATUTES; AMENDING SECTION 41-2083, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2007, CHAPTER 145, SECTION 1; AMENDING SECTION 41-2083, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2007, CHAPTER 145, SECTION 2; AMENDING TITLE 41, CHAPTER 15, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-2083.01; AMENDING SECTION 41-2121, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 15, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-2124.01; AMENDING SECTION 41-2124.01, ARIZONA REVISED STATUTES, AS ADDED BY SECTION 12 OF THIS ACT; AMENDING SECTION 49-457, ARIZONA REVISED STATUTES; AMENDING TITLE 49, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 49-457.01, 49-457.02, 49-457.03 AND 49-457.04; AMENDING SECTION 49-474.01, ARIZONA REVISED STATUTES; AMENDING TITLE 49, CHAPTER 3, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 49-474.05, 49-474.06 AND 49-474.07; AMENDING SECTION 49-501, ARIZONA REVISED STATUTES; AMENDING SECTION 49-542, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2007, CHAPTER 171, SECTION 5; RELATING TO AIR QUALITY; PROVIDING FOR CONDITIONAL ENACTMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-500.04, Arizona Revised Statutes, is amended to
3 read:

4 9-500.04. Air quality control; definitions

5 A. The governing body of a city or town in area A or AREA B as defined
6 in section 49-541 shall:

7 1. If the city has a population exceeding fifty thousand persons
8 according to the 1995 special census, adjust the work hours of at least
9 eighty-five per cent of municipal employees each year beginning October 1 and
10 ending April 1 in order to reduce the level of carbon monoxide, OZONE AND
11 PARTICULATE MATTER concentrations caused by vehicular travel.

12 2. In area A, in consultation with the designated metropolitan
13 planning organization, synchronize traffic control signals on all existing
14 and new roadways, within and across jurisdictional boundaries, ~~which~~ THAT
15 have ~~a traffic flow~~ AVERAGE DAILY TRIPS exceeding fifteen thousand motor
16 vehicles per day.

17 3. In area A, beginning on January 1, ~~2000~~ 2008, develop and implement
18 plans to stabilize targeted unpaved roads, alleys and unpaved shoulders on
19 targeted arterials. The plans shall address the performance goals, the
20 criteria for targeting the roads, alleys and shoulders, a schedule for
21 implementation, funding options and reporting requirements. PRIORITY SHALL
22 BE GIVEN TO THE FOLLOWING:

23 (a) UNPAVED ROADS WITH MORE THAN ONE HUNDRED AVERAGE DAILY TRIPS.

24 (b) UNPAVED SHOULDERS ON ARTERIAL ROADS AND OTHER ROAD SEGMENTS WHERE
25 VEHICLE USE ON UNPAVED SHOULDERS IS EVIDENT OR ANTICIPATED DUE TO PROJECTED
26 TRAFFIC VOLUME.

27 4. In area A, acquire or utilize vacuum systems or other dust removal
28 technology to reduce the particulates attributable to conventional crack
29 sealing operations as existing equipment is retired.

30 5. IN AREA A, IN ORDER TO REDUCE PARTICULATE MATTER IN AMBIENT AIR:

31 (a) BEGINNING MARCH 31, 2008, ON ANY HIGH POLLUTION ADVISORY DAY
32 FORECAST BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY PROHIBIT EMPLOYEES OR
33 CONTRACTORS OF THAT CITY OR TOWN FROM OPERATING LEAF BLOWERS EXCEPT WHILE IN
34 VACUUM MODE AND PROHIBIT THOSE EMPLOYEES OR CONTRACTORS FROM BLOWING
35 LANDSCAPE DEBRIS INTO PUBLIC ROADWAYS AT ANY TIME.

36 (b) NO LATER THAN MARCH 31, 2008, ADOPT, IMPLEMENT AND ENFORCE AN
37 ORDINANCE THAT BANS THE BLOWING OF LANDSCAPE DEBRIS INTO PUBLIC ROADWAYS AT
38 ANY TIME BY ANY PERSON.

39 6. IN AREA A, NO LATER THAN MARCH 31, 2008, ADOPT OR AMEND CODES OR
40 ORDINANCES AND, NO LATER THAN OCTOBER 1, 2008, COMMENCE ENFORCEMENT OF THOSE
41 CODES OR ORDINANCES AS NECESSARY TO REQUIRE THAT PARKING, MANEUVERING,
42 INGRESS AND EGRESS AREAS AT DEVELOPMENTS OTHER THAN RESIDENTIAL BUILDINGS
43 WITH FOUR OR FEWER UNITS ARE MAINTAINED WITH ONE OR MORE OF THE FOLLOWING
44 DUSTPROOF PAVING METHODS:

- 1 (a) ASPHALTIC CONCRETE.
2 (b) CEMENT CONCRETE.
3 (c) PENETRATION TREATMENT OF BITUMINOUS MATERIAL AND SEAL COAT OF
4 BITUMINOUS BINDER AND A MINERAL AGGREGATE.
5 (d) A STABILIZATION METHOD APPROVED BY THE CITY OR TOWN.
6 7. IN AREA A, NO LATER THAN MARCH 31, 2008, ADOPT OR AMEND CODES OR
7 ORDINANCES AND, NO LATER THAN OCTOBER 1, 2009, COMMENCE ENFORCEMENT OF THOSE
8 CODES OR ORDINANCES AS NECESSARY TO REQUIRE THAT PARKING, MANEUVERING,
9 INGRESS AND EGRESS AREAS THAT ARE THREE THOUSAND SQUARE FEET OR MORE IN SIZE
10 AT RESIDENTIAL BUILDINGS WITH FOUR OR FEWER UNITS ARE MAINTAINED WITH A
11 PAVING OR STABILIZATION METHOD AUTHORIZED BY THE CITY OR TOWN BY CODE,
12 ORDINANCE OR PERMIT.
13 8. IN AREA A, NO LATER THAN MARCH 31, 2008, ADOPT OR AMEND CODES OR
14 ORDINANCES AS NECESSARY TO RESTRICT VEHICLE PARKING AND USE ON UNPAVED OR
15 UNSTABILIZED VACANT LOTS.
16 9. IN AREA A, NO LATER THAN MARCH 31, 2008, REQUIRE THAT NEW OR
17 RENEWED CONTRACTS FOR STREET SWEEPING ON CITY STREETS MUST BE CONDUCTED WITH
18 STREET SWEEPERS THAT MEET THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
19 RULE 1186 STREET SWEEPER CERTIFICATION SPECIFICATIONS FOR PICK UP EFFICIENCY
20 AND PM-10 EMISSIONS IN EFFECT ON JANUARY 1, 2007.
21 ~~5-~~ 10. In area B, synchronize traffic control signals on all roadways
22 which ~~THAT have a traffic flow~~ AVERAGE DAILY TRIPS exceeding fifteen thousand
23 motor vehicles per day.
24 B. The governing body of a city or town in area B as defined in
25 section 49-541 may make and enforce ordinances to reduce or encourage the
26 reduction of the commuter use of motor vehicles by employees of the city or
27 town and employees whose place of employment is within the city or town.
28 C. Except as provided in subsection F of this section, the governing
29 body of a city or town in area A as defined in section 49-541 in a county
30 with a population of more than one million two hundred thousand persons
31 according to the most recent United States decennial census shall develop and
32 implement a vehicle fleet plan for the purpose of encouraging and
33 progressively increasing the use of alternative fuels and clean burning fuels
34 in city or town owned vehicles. The plan shall include a timetable for
35 increasing the use of alternative fuels and clean burning fuels in fleet
36 vehicles either through purchase or conversion.
37 D. The timetable shall reflect the following schedule and percentage
38 of vehicles ~~which~~ THAT operate on alternative fuels and clean burning fuels:
39 1. At least eighteen per cent of the total fleet by December 31, 1995.
40 2. At least twenty-five per cent of the total fleet by December 31,
41 1996.
42 3. At least fifty per cent of the total fleet by December 31, 1998.
43 4. At least seventy-five per cent of the total fleet by December 31,
44 2000 and each year thereafter.

1 E. The requirements of subsections C and D of this section may be
2 waived on receipt of evidence acceptable to the city or town council that the
3 city or town is unable to acquire or be provided equipment or refueling
4 facilities necessary to operate vehicles using alternative fuels or clean
5 burning fuels at a projected cost that is reasonably expected to result in
6 net costs of no greater than ten per cent more than the net costs associated
7 with the continued use of conventional gasoline or diesel fuels measured over
8 the expected useful life of the equipment or facilities supplied.
9 Applications for waivers shall be filed with the department of environmental
10 quality pursuant to section 49-412. An entity that receives a waiver
11 pursuant to this section shall retrofit fleet heavy-duty diesel vehicles with
12 a gross vehicle weight of eight thousand five hundred pounds or more, that
13 were manufactured in or before model year 1993 and that are the subject of
14 the waiver with a technology that is effective at reducing particulate MATTER
15 emissions at least twenty-five per cent or more and that has been approved by
16 the United States environmental protection agency pursuant to the urban bus
17 engine retrofit/rebuild program. The entity shall comply with the
18 implementation schedule pursuant to section 49-555.

19 F. The plan prescribed by subsection C of this section shall include
20 provisions for the use of alternative fuels and clean burning fuels in the
21 bus fleet operated by that city or town or a regional public transportation
22 authority, except that all newly purchased buses shall use alternative fuel
23 or clean burning fuel. The bus fleet shall comply with the timetable
24 prescribed by subsection D of this section, except that the requirements of
25 subsections C and D of this section may be waived on receipt of certification
26 supported by evidence acceptable to the department of environmental quality
27 that the city or town is unable to acquire or be provided equipment or
28 refueling facilities necessary to operate vehicles using alternative fuels or
29 clean burning fuels at a projected cost that is reasonably expected to result
30 in net costs of no greater than twenty per cent more than the net costs
31 associated with the continued use of conventional gasoline or diesel fuels
32 measured over the expected useful life of the equipment or facilities
33 supplied.

34 G. If the requirements of subsections C, D and F of this section are
35 met by the use of clean burning fuel, vehicle equivalents under those
36 requirements shall be calculated as follows:

37 1. One vehicle equivalent for every four hundred fifty gallons of neat
38 biodiesel or two thousand two hundred fifty gallons of a diesel fuel
39 substitute prescribed in section 1-215, paragraph 7, subdivision (b).

40 2. One vehicle equivalent for every five hundred thirty gallons of the
41 fuel prescribed in section 1-215, paragraph 7, subdivision (d).

42 H. SUBSECTION A, PARAGRAPHS 5 THROUGH 8 OF THIS SECTION DO NOT APPLY
43 TO ANY SITE THAT HAS A PERMIT ISSUED BY A CONTROL OFFICER AS DEFINED IN
44 SECTION 49-471 FOR THE CONTROL OF FUGITIVE DUST FROM DUST GENERATING
45 OPERATIONS.

1 2. Meets performance standards for new residential wood heaters
2 manufactured on or after July 1, 1990 or sold at retail on or after July 1,
3 1992 as prescribed by 40 Code of Federal Regulations part 60, subpart AAA.
4 3. Burns gaseous fuels, including gas logs.
5 4. Meets rules adopted by the board of supervisors as prescribed in
6 section 49-479 for burning wood in approved appliances.
7 ~~C.~~ D. The ordinance shall provide that a person who violates an
8 ordinance adopted pursuant to this section is subject to:
9 1. A warning for the first violation.
10 2. The imposition of a civil penalty of fifty dollars for the second
11 violation.
12 3. The imposition of a civil penalty of one hundred dollars for ~~a~~ THE
13 third ~~or any subsequent~~ violation.
14 4. THE IMPOSITION OF A CIVIL PENALTY OF TWO HUNDRED FIFTY DOLLARS FOR
15 THE FOURTH OR ANY SUBSEQUENT VIOLATION.
16 ~~D.~~ E. For violations of ordinances adopted pursuant to this section,
17 the control officer shall use a uniform civil ticket and complaint
18 substantially similar to a uniform traffic ticket and complaint prescribed by
19 the rules of procedure in civil traffic cases adopted by the supreme court.
20 The control officer may issue citations to persons in violation of ordinances
21 adopted pursuant to this section.
22 Sec. 4. Section 11-872, Arizona Revised Statutes, is amended to read:
23 11-872. Control techniques; rules; schedule for adoption
24 A. If the administrator of the United States environmental protection
25 agency makes a finding relating to area A, as defined in section 49-541,
26 pursuant to the clean air act amendments of 1990 (P.L. 101-549), section 172,
27 the county shall adopt by rule the necessary emission limitations or other
28 standards reflecting control techniques guidelines issued by the United
29 States environmental protection agency pursuant to the clean air act
30 amendments of 1990, section 183 in order to achieve emissions reductions
31 sufficient to respond to the finding.
32 B. The county shall begin to develop rules ~~which~~ THAT incorporate the
33 provisions of the control techniques guidelines being developed by the United
34 States environmental protection agency. The rule making process shall
35 parallel as closely as possible the United States environmental protection
36 agency process and incorporate adequate public notice and comment. The
37 county shall make every practical effort to assure the rules are consistent
38 with the concepts and provisions embodied in the United States environmental
39 protection agency process. Within sixty days ~~of~~ AFTER the formal adoption of
40 the United States environmental protection agency control techniques
41 guidelines for an industry sector, the county shall adopt rules, emission
42 limitations or other standards reflecting such guidelines. If the guidelines
43 are required pursuant to subsection A of this section prior to formal
44 adoption by the administrator of the guidelines, the county rules shall
45 become effective within sixty days ~~of~~ AFTER the United States environmental

1 protection agency finding. The county shall determine which industry sector
2 shall be subject to the requirements of this section.

3 C. If the director of the department of environmental quality
4 determines that emissions inventory data, monitoring information and modeling
5 or projections indicate it is likely that reasonable further progress or
6 attainment will not be achieved in order to comply with the clean air act
7 amendments of 1990 OR ACHIEVE OR MAINTAIN NATIONAL AMBIENT AIR QUALITY
8 STANDARDS OR OTHER AIR QUALITY STANDARDS APPLICABLE TO OZONE PRECURSORS, the
9 county shall adopt rules necessary to achieve emissions reductions to achieve
10 reasonable further progress or attainment. The rules shall be based on
11 technically feasible controls to reduce the emissions of volatile organic
12 compounds from industry sectors that the United States environmental
13 protection agency is considering for control technique guidelines.

14 D. All emissions reductions required pursuant to this section shall be
15 achieved FOR PURPOSES OF THE ONE-HOUR OZONE STANDARD no later than June 1,
16 1996 AND FOR PURPOSES OF THE EIGHT-HOUR AVERAGED OZONE STANDARD NO LATER THAN
17 DECEMBER 31, 2008.

18 Sec. 5. Title 11, chapter 6, article 4, Arizona Revised Statutes, is
19 amended by adding section 11-877, to read:

20 11-877. Air quality control measures

21 A. IN ORDER TO REDUCE PARTICULATE MATTER IN AMBIENT AIR, THE BOARD OF
22 SUPERVISORS OF ANY COUNTY THAT CONTAINS ANY PORTION OF AREA A, AS DEFINED IN
23 SECTION 49-541, SHALL DEVELOP, IMPLEMENT AND ENFORCE IN AREA A THE FOLLOWING
24 AIR QUALITY CONTROL MEASURES:

25 1. BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, PROHIBIT EMPLOYEES
26 OR CONTRACTORS OF THAT COUNTY FROM OPERATING LEAF BLOWERS ON ANY HIGH
27 POLLUTION ADVISORY DAY FORECAST BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY
28 EXCEPT WHILE IN VACUUM MODE AND PROHIBIT THOSE EMPLOYEES OR CONTRACTORS FROM
29 BLOWING LANDSCAPE DEBRIS INTO PUBLIC ROADWAYS AT ANY TIME.

30 2. NO LATER THAN MARCH 31, 2008, ADOPT, IMPLEMENT AND ENFORCE AN
31 ORDINANCE THAT BANS THE BLOWING OF LANDSCAPE DEBRIS INTO PUBLIC ROADWAYS AT
32 ANY TIME BY ANY PERSON.

33 3. NO LATER THAN MARCH 31, 2008, ADOPT, IMPLEMENT AND ENFORCE AN
34 ORDINANCE THAT PROHIBITS THE OPERATION OF LEAF BLOWERS EXCEPT ON SURFACES
35 THAT HAVE BEEN STABILIZED WITH ASPHALTIC CONCRETE, CEMENT CONCRETE,
36 HARDSCAPE, PENETRATION TREATMENT OF BITUMINOUS MATERIAL AND SEAL COAT OF
37 BITUMINOUS BINDER AND A MINERAL AGGREGATE, DECOMPOSED GRANITE COVER, CRUSHED
38 GRANITE COVER, AGGREGATE COVER, GRAVEL COVER, OR GRASS OR OTHER CONTINUOUS
39 VEGETATIVE COVER, OR ANY COMBINATION OF THOSE STABILIZERS.

40 B. THIS SECTION DOES NOT APPLY TO ANY SITE THAT HAS A PERMIT ISSUED BY
41 A CONTROL OFFICER AS DEFINED IN SECTION 49-471 FOR THE CONTROL OF FUGITIVE
42 DUST FROM DUST GENERATING OPERATIONS.

1 Sec. 6. Section 28-1098, Arizona Revised Statutes, is amended to read:
2 28-1098. Vehicle loads; restrictions; civil penalties

3 A. FOR THE PURPOSE OF HIGHWAY SAFETY OR AIR POLLUTION PREVENTION, a
4 person shall not drive or move a vehicle on a highway unless the vehicle is
5 constructed or loaded in a manner to prevent any of its load from dropping,
6 sifting, leaking or otherwise escaping from the vehicle, except ~~that either~~
7 THE FOLLOWING ARE PERMITTED:

8 1. SUFFICIENT sand may be dropped for the purpose of securing
9 traction.

10 2. Water or another substance may be sprinkled on a roadway in
11 cleaning or maintaining the roadway.

12 3. MINOR PIECES OF AGRICULTURAL MATERIALS SUCH AS LEAVES AND STEMS
13 FROM AGRICULTURAL LOADS.

14 B. A person shall not operate a vehicle on a highway with a load
15 unless the load and any covering on the load are securely fastened in a
16 manner to prevent the covering or load from becoming loose, detached or in
17 any manner a hazard to other users of the highway.

18 C. If a person is found in violation of this section and the
19 violation:

20 1. Does not cause any damage or injury and is the person's:

21 (a) First violation in a sixty month period, the person is subject to a
22 civil penalty of ~~up to~~ NOT MORE THAN two hundred fifty dollars.

23 (b) Second or subsequent violation in a sixty month period, the person
24 is subject to a civil penalty of ~~up to~~ NOT MORE THAN three hundred fifty
25 dollars.

26 2. Results in an accident causing serious physical injury as defined
27 in section 13-105 to another person, the person is subject to a civil penalty
28 of ~~up to~~ NOT MORE THAN five hundred dollars.

29 3. Results in an accident causing the death of another person, the
30 person is subject to a civil penalty of ~~up to~~ NOT MORE THAN one thousand
31 dollars.

32 Sec. 7. Section 28-6705, Arizona Revised Statutes, is amended to read:
33 28-6705. Public road and street maintenance

34 A. The board of supervisors may spend public monies for maintenance of
35 public roads and streets other than legally designated state and county
36 highways located without the limits of an incorporated city or town. Before
37 spending public monies under this section, the roads or streets shall be
38 both:

39 1. Laid out, opened and constructed without cost to the county.

40 2. Completed pursuant to a plat approved pursuant to sections 11-802
41 and 11-806.01 and in accordance with standard engineering road specifications
42 adopted by the board of supervisors to ensure uniform compliance.

43 B. The board of supervisors may spend public monies for maintenance of
44 public roads and streets laid out, constructed and opened before June 13,

1 1975 even if the roads and streets were not constructed in accordance with
2 subsection A of this section.

3 C. Maintenance of a public road or street does not include purchasing
4 or laying cement. To reduce long-term maintenance costs for maintenance
5 authorized by this section, the board of supervisors may spend monies to add
6 rock products, gravel and processed materials to the base of the roads and
7 streets. Petroleum based or nonpetroleum based products may be used in the
8 maintenance and repair of unpaved roads, alleys and shoulders identified
9 pursuant to section 9-500.04 or ~~section~~ 49-474.01 OR UNPAVED ROADS, ALLEYS
10 AND SHOULDERS IN ANY COUNTY WHERE THE CONTROL OFFICER AS DEFINED IN SECTION
11 49-471 CERTIFIES TO THE BOARD OF SUPERVISORS THAT EMISSIONS FROM SUCH ROADS,
12 ALLEYS OR SHOULDERS MAY ENDANGER COMPLIANCE WITH THE NATIONAL AMBIENT AIR
13 QUALITY STANDARD AS DEFINED IN SECTION 49-401.01.

14 Sec. 8. Section 41-2083, Arizona Revised Statutes, as amended by Laws
15 2007, chapter 145, section 1, is amended to read:

16 41-2083. Standards for motor fuel; exceptions

17 A. Except as provided in SECTION 41-2083.01 AND subsections C, D, E,
18 F, G, K, L, M and N of this section, a retail seller or fleet owner shall not
19 store, sell or expose or offer for sale any motor fuel, kerosene, oil or
20 other liquid or gaseous fuel or lubricating oil, lubricant, mixtures of
21 lubricants or other similar products if the product fails to meet the
22 standards specified in this section and in the rules adopted by the director.

23 B. A person shall not misrepresent the nature, origination, quality,
24 grade or identity of any product specified in subsection A of this section or
25 represent the nature, origination, quality, grade or identity of such product
26 in any manner calculated or tending to mislead or in any way deceive.

27 C. After consultation with the director of the department of
28 environmental quality, the standards and test methods for motor fuels shall
29 be established by the director of the department of weights and measures by
30 rule.

31 D. Maximum vapor pressure for gasoline that is supplied or sold by any
32 person and that is intended as a final product for the fueling of motor
33 vehicles in a county with a population of one million two hundred thousand or
34 more persons and any portion of a county contained in area A as defined in
35 section 49-541 shall be 9.0 pounds per square inch from and after September
36 30 through March 31 of each year. Fuel used in motor vehicles at a
37 manufacturer's proving ground or a motor vehicle racing event as defined by
38 section 41-2121 is exempt from this subsection.

39 E. From and after September 30 through March 31 of each year a person
40 shall not supply or sell gasoline that exceeds the ASTM D4814 class A vapor
41 pressure/distillation class ten volume per cent evaporated distillation
42 temperature.

43 F. Maximum vapor pressure for gasoline that is supplied or sold by any
44 person and that is intended as a final product for the fueling of motor
45 vehicles in a county with a population of one million two hundred thousand

1 persons or more and any portion of a county contained in area A as defined in
2 section 49-541 shall be 7.0 pounds per square inch from and after May 31
3 through September 30 of each year. Fuel used in motor vehicles at a
4 manufacturer's proving ground or a motor vehicle racing event as defined by
5 section 41-2121 is exempt from this subsection.

6 G. Exclusively for the purposes of transportation conformity and only
7 if the administrator of the United States environmental protection agency
8 fails to approve the applicable plan required pursuant to section 49-406,
9 maximum vapor pressure for gasoline that is supplied or sold by any person
10 and that is intended as a final product for the fueling of motor vehicles in
11 area B as defined in section 49-541 shall be ten pounds per square inch from
12 and after September 30 through March 31 of each year. Fuel used in motor
13 vehicles at a manufacturer's proving ground or a motor vehicle racing event
14 as defined by section 41-2121 is exempt from this subsection.

15 H. Notwithstanding subsections D, F and G of this section, the
16 director of the department of weights and measures in consultation with the
17 director of the department of environmental quality shall approve alternate
18 fuel control measures that are submitted by manufacturers or suppliers of
19 gasoline and that the directors determine will result in either of the
20 following:

21 1. Motor vehicle carbon monoxide emissions that are equal to or less
22 than emissions that result under compliance with subsection D of this section
23 and section 41-2123. In making this determination, the director of the
24 department of weights and measures and the director of the department of
25 environmental quality shall compare the emissions of the alternate fuel
26 control measure with the emissions of a fuel with a maximum vapor pressure
27 standard as prescribed by this section and with the minimum oxygen content or
28 percentage by volume of ethanol as prescribed by section 41-2123.

29 2. Motor vehicle non-methane hydrocarbon emissions that are equal to
30 or less than the emissions that result under compliance with subsection F of
31 this section. In making this determination, the director of the department
32 of weights and measures and the director of the department of environmental
33 quality shall compare the motor vehicle non-methane hydrocarbon emissions of
34 the alternate fuel control measure with the motor vehicle non-methane
35 hydrocarbon emissions of a fuel that complies with the maximum vapor pressure
36 standard as prescribed by subsection F of this section.

37 I. Any alternate fuel control measures that are approved shall not
38 increase emissions of non-methane hydrocarbons, particulates, carbon monoxide
39 or oxides of nitrogen. Alternate fuel control measures approved pursuant to
40 subsection H of this section and this subsection may be used by any
41 manufacturer or supplier of gasoline unless the approval is rescinded more
42 than one hundred eighty days before the first day of a gasoline control
43 period. Manufacturers and suppliers who use an approved alternate fuel
44 control measure shall annually submit a compliance plan to the director of

1 the department of weights and measures no later than sixty days before the
2 first day of a gasoline control period.

3 J. A person shall not sell or offer or expose for sale diesel fuel
4 grade 1, 2 or 4 as defined in ASTM D975 that contains sulfur in excess of:

5 1. For low sulfur diesel fuel, five hundred parts per million by
6 weight for use in area A as defined in section 49-541.

7 2. For ultra low sulfur diesel fuel, the amount that conforms with 40
8 Code of Federal Regulations section 80.520(a)(1).

9 K. A person shall not sell or offer or expose for sale biodiesel that
10 is not tested or does not meet the specifications established by ASTM D6751
11 or any blend of biodiesel and diesel fuel that is not tested or does not meet
12 the specifications established by ASTM D975 and that contains sulfur in
13 excess of five hundred parts per million for use in area A as defined in
14 section 49-541.

15 L. A person that blends biodiesel that is intended as a final product
16 for the fueling of motor vehicles shall report to the director by the
17 fifteenth day of each month the quantity and quality of biodiesel shipped to
18 or produced in this state during the preceding month. A person who supplies
19 biodiesel subject to this subsection shall report the following by batch:

20 1. The percentage of biodiesel in a final blend.

21 2. The volume of the finished product.

22 3. For neat biodiesel, the results of analysis for those parameters
23 established by ASTM D6751.

24 4. For biodiesel blended with any diesel fuel, the results of the
25 analysis of the following motor fuel parameters as established by ASTM D975:

26 (a) Sulfur content.

27 (b) Aromatic hydrocarbon content.

28 (c) Cetane number.

29 (d) Specific gravity.

30 (e) American petroleum institute gravity.

31 (f) The temperatures at which ten per cent, fifty per cent and ninety
32 per cent of the diesel fuel boiled off during distillation.

33 M. The report required by subsection L of this section shall be on a
34 form prescribed by the director and shall contain a certification of
35 truthfulness and accuracy of the data submitted and a statement of the
36 supplier's consent permitting the department or its authorized agent to
37 collect samples and access records as provided in rules adopted by the
38 department. A corporate officer who is responsible for operations at the
39 facility that produces or ships the final product shall sign the report.

40 N. A person shall label dispensers at which biodiesel is dispensed in
41 such a manner as to notify other persons of the volume percentage of
42 biodiesel in the finished product and that conforms with 40 Code of Federal
43 Regulations sections 80.570, 80.571, 80.572, 80.573 and 80.574 to inform the
44 customer of the sulfur content of the diesel fuel being dispensed.

1 O. A person shall label each dispenser at which ultra low sulfur
2 diesel fuel is dispensed in a manner that conforms with 40 Code of Federal
3 Regulations sections 80.570, 80.571, 80.572, 80.573 and 80.574 to inform the
4 customer of the sulfur content of the diesel fuel being dispensed.

5 P. A person shall label each dispenser at which low sulfur diesel fuel
6 is dispensed in a manner that conforms with 40 Code of Federal Regulations
7 sections 80.570, 80.571, 80.572, 80.573 and 80.574 to inform the customer of
8 the sulfur content of the diesel fuel being dispensed.

9 Q. If any person transfers custody or title of a diesel fuel or
10 distillate, except if the diesel fuel is dispensed into a motor vehicle or
11 nonroad, locomotive or marine equipment, the transferor shall provide to the
12 transferee product transfer documents that conform with 40 Code of Federal
13 Regulations section 80.590.

14 R. If the transfer of a motor fuel is from a terminal, storage
15 facility, or transmix facility, the product transfer documents shall contain
16 the information prescribed in subsection Q of this section as well as the
17 name and address of the final destination for the shipment, as prescribed by
18 department rule, and must accompany the shipment to its final destination.

19 Sec. 9. Section 41-2083, Arizona Revised Statutes, as amended by Laws
20 2007, chapter 145, section 2, is amended to read:

21 41-2083. Standards for motor fuel; exceptions

22 A. Except as provided in SECTION 41-2083.01 AND subsections C, D, E,
23 F, G, K, L, M and N of this section, a retail seller or fleet owner shall not
24 store, sell or expose or offer for sale any motor fuel, kerosene, oil or
25 other liquid or gaseous fuel or lubricating oil, lubricant, mixtures of
26 lubricants or other similar products if the product fails to meet the
27 standards specified in this section and in the rules adopted by the director.

28 B. A person shall not misrepresent the nature, origination, quality,
29 grade or identity of any product specified in subsection A of this section or
30 represent the nature, origination, quality, grade or identity of such product
31 in any manner calculated or tending to mislead or in any way deceive.

32 C. After consultation with the director of the department of
33 environmental quality, the standards and test methods for motor fuels shall
34 be established by the director of the department of weights and measures by
35 rule.

36 D. Maximum vapor pressure for gasoline that is supplied or sold by any
37 person and that is intended as a final product for the fueling of motor
38 vehicles in a county with a population of one million two hundred thousand or
39 more persons and any portion of a county contained in area A as defined in
40 section 49-541 shall be 9.0 pounds per square inch from and after September
41 30 through January 31 of each year. Fuel used in motor vehicles at a
42 manufacturer's proving ground or a motor vehicle racing event as defined by
43 section 41-2121 is exempt from this subsection.

44 E. From and after September 30 through March 31 of each year a person
45 shall not supply or sell gasoline that exceeds the ASTM D4814 class A vapor

1 pressure/distillation class ten volume per cent evaporated distillation
2 temperature.

3 F. Maximum vapor pressure for gasoline that is supplied or sold by any
4 person and that is intended as a final product for the fueling of motor
5 vehicles in a county with a population of one million two hundred thousand
6 persons or more and any portion of a county contained in area A as defined in
7 section 49-541 shall be 7.0 pounds per square inch from and after May 31
8 through September 30 of each year. Fuel used in motor vehicles at a
9 manufacturer's proving ground or a motor vehicle racing event as defined by
10 section 41-2121 is exempt from this subsection.

11 G. Exclusively for the purposes of transportation conformity and only
12 if the administrator of the United States environmental protection agency
13 fails to approve the applicable plan required pursuant to section 49-406,
14 maximum vapor pressure for gasoline that is supplied or sold by any person
15 and that is intended as a final product for the fueling of motor vehicles in
16 area B as defined in section 49-541 shall be ten pounds per square inch from
17 and after September 30 through March 31 of each year. Fuel used in motor
18 vehicles at a manufacturer's proving ground or a motor vehicle racing event
19 as defined by section 41-2121 is exempt from this subsection.

20 H. Notwithstanding subsections D, F and G of this section, the
21 director of the department of weights and measures in consultation with the
22 director of the department of environmental quality shall approve alternate
23 fuel control measures that are submitted by manufacturers or suppliers of
24 gasoline and that the directors determine will result in either of the
25 following:

26 1. Motor vehicle carbon monoxide emissions that are equal to or less
27 than emissions that result under compliance with subsection D of this section
28 and section 41-2123. In making this determination, the director of the
29 department of weights and measures and the director of the department of
30 environmental quality shall compare the emissions of the alternate fuel
31 control measure with the emissions of a fuel with a maximum vapor pressure
32 standard as prescribed by this section and with the minimum oxygen content or
33 percentage by volume of ethanol as prescribed by section 41-2123.

34 2. Motor vehicle non-methane hydrocarbon emissions that are equal to
35 or less than the emissions that result under compliance with subsection F of
36 this section. In making this determination, the director of the department
37 of weights and measures and the director of the department of environmental
38 quality shall compare the motor vehicle non-methane hydrocarbon emissions of
39 the alternate fuel control measure with the motor vehicle non-methane
40 hydrocarbon emissions of a fuel that complies with the maximum vapor pressure
41 standard as prescribed by subsection F of this section.

42 I. Any alternate fuel control measures that are approved shall not
43 increase emissions of non-methane hydrocarbons, particulates, carbon monoxide
44 or oxides of nitrogen. Alternate fuel control measures approved pursuant to
45 subsection H of this section and this subsection may be used by any

1 manufacturer or supplier of gasoline unless the approval is rescinded more
2 than one hundred eighty days before the first day of a gasoline control
3 period. Manufacturers and suppliers who use an approved alternate fuel
4 control measure shall annually submit a compliance plan to the director of
5 the department of weights and measures no later than sixty days before the
6 first day of a gasoline control period.

7 J. A person shall not sell or offer or expose for sale diesel fuel
8 grade 1, 2 or 4 as defined in ASTM D975 that contains sulfur in excess of:

9 1. For low sulfur diesel fuel, five hundred parts per million by
10 weight for use in area A as defined in section 49-541.

11 2. For ultra low sulfur diesel fuel, the amount that conforms with 40
12 Code of Federal Regulations section 80.520(a)(1).

13 K. A person shall not sell or offer or expose for sale biodiesel that
14 is not tested or does not meet the specifications established by ASTM D6751
15 or any blend of biodiesel and diesel fuel that is not tested or does not meet
16 the specifications established by ASTM D975 and that contains sulfur in
17 excess of five hundred parts per million for use in area A as defined in
18 section 49-541.

19 L. A person who blends biodiesel that is intended as a final product
20 for the fueling of motor vehicles shall report to the director by the
21 fifteenth day of each month the quantity and quality of biodiesel shipped to
22 or produced in this state during the preceding month. A person who supplies
23 biodiesel subject to this subsection shall report the following by batch:

24 1. The percentage of biodiesel in a final blend.

25 2. The volume of the finished product.

26 3. For neat biodiesel, the results of analysis for those parameters
27 established by ASTM D6751.

28 4. For biodiesel blended with any diesel fuel, the results of the
29 analysis of the following motor fuel parameters as established by ASTM D975:

30 (a) Sulfur content.

31 (b) Aromatic hydrocarbon content.

32 (c) Cetane number.

33 (d) Specific gravity.

34 (e) American petroleum institute gravity.

35 (f) The temperatures at which ten per cent, fifty per cent and ninety
36 per cent of the diesel fuel boiled off during distillation.

37 M. The report required by subsection L of this section shall be on a
38 form prescribed by the director and shall contain a certification of
39 truthfulness and accuracy of the data submitted and a statement of the
40 supplier's consent permitting the department or its authorized agent to
41 collect samples and access records as provided in rules adopted by the
42 department. A corporate officer who is responsible for operations at the
43 facility that produces or ships the final product shall sign the report.

44 N. A person shall label dispensers at which biodiesel is dispensed in
45 such a manner as to notify other persons of the volume percentage of

1 biodiesel in the finished product and that conforms with 40 Code of Federal
2 Regulations sections 80.570, 80.571, 80.572, 80.573 and 80.574 to inform the
3 customer of the sulfur content of the diesel fuel being dispensed.

4 O. A person shall label each dispenser at which ultra low sulfur
5 diesel fuel is dispensed in a manner that conforms with 40 Code of Federal
6 Regulations sections 80.570, 80.571, 80.572, 80.573 and 80.574 to inform the
7 customer of the sulfur content of the diesel fuel being dispensed.

8 P. A person shall label each dispenser at which low sulfur diesel fuel
9 is dispensed in a manner that conforms with 40 Code of Federal Regulations
10 sections 80.570, 80.571, 80.572, 80.573 and 80.574 to inform the customer of
11 the sulfur content of the diesel fuel being dispensed.

12 Q. If any person transfers custody or title of a diesel fuel or
13 distillate, except if the diesel fuel is dispensed into a motor vehicle or
14 nonroad, locomotive or marine equipment, the transferor shall provide to the
15 transferee product transfer documents that conform with 40 Code of Federal
16 Regulations section 80.590.

17 R. If the transfer of a motor fuel is from a terminal, storage
18 facility, or transmix facility, the product transfer documents shall contain
19 the information prescribed in subsection Q of this section as well as the
20 name and address of the final destination for the shipment, as prescribed by
21 department rule, and must accompany the shipment to its final destination.

22 Sec. 10. Title 41, chapter 15, article 3, Arizona Revised Statutes, is
23 amended by adding section 41-2083.01, to read:

24 41-2083.01. Area C: standards for motor fuel; exceptions

25 A. EXCEPT AS PROVIDED IN SUBSECTIONS C AND D OF THIS SECTION, AFTER
26 MAY 31, 2008, A RETAIL SELLER OR FLEET OWNER SHALL NOT STORE, SELL OR EXPOSE
27 OR OFFER FOR SALE IN AREA C AS DEFINED IN SECTION 41-2121 ANY MOTOR FUEL,
28 KEROSENE, OIL OR OTHER LIQUID OR GASEOUS FUEL OR LUBRICATING OIL, LUBRICANT,
29 MIXTURES OF LUBRICANTS OR OTHER SIMILAR PRODUCTS IF THE PRODUCT FAILS TO MEET
30 THE STANDARDS SPECIFIED IN THIS SECTION AND IN THE RULES ADOPTED BY THE
31 DIRECTOR.

32 B. A PERSON SHALL NOT MISREPRESENT THE NATURE, ORIGINATION, QUALITY,
33 GRADE OR IDENTITY OF ANY PRODUCT SPECIFIED IN SUBSECTION A OF THIS SECTION OR
34 REPRESENT THE NATURE, ORIGINATION, QUALITY, GRADE OR IDENTITY OF SUCH PRODUCT
35 IN ANY MANNER CALCULATED OR TENDING TO MISLEAD OR IN ANY WAY DECEIVE.

36 C. AFTER CONSULTATION WITH THE DIRECTOR OF THE DEPARTMENT OF
37 ENVIRONMENTAL QUALITY, THE STANDARDS AND TEST METHODS FOR MOTOR FUELS SHALL
38 BE ESTABLISHED BY THE DIRECTOR OF THE DEPARTMENT OF WEIGHTS AND MEASURES BY
39 RULE.

40 D. MAXIMUM VAPOR PRESSURE FOR GASOLINE THAT IS SUPPLIED OR SOLD BY ANY
41 PERSON AND THAT IS INTENDED AS A FINAL PRODUCT FOR THE FUELING OF MOTOR
42 VEHICLES IN AREA C AS DEFINED IN SECTION 41-2121 SHALL BE 7.0 POUNDS PER
43 SQUARE INCH FROM AND AFTER MAY 31 THROUGH SEPTEMBER 30 OF EACH YEAR. FUEL
44 USED IN MOTOR VEHICLES AT A MANUFACTURER'S PROVING GROUND OR A MOTOR VEHICLE
45 RACING EVENT AS DEFINED BY SECTION 41-2121 IS EXEMPT FROM THIS SUBSECTION.

1 E. THE DIRECTOR OF THE DEPARTMENT OF WEIGHTS AND MEASURES IN
2 CONSULTATION WITH THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY
3 SHALL APPROVE ALTERNATE FUEL CONTROL MEASURES THAT ARE SUBMITTED BY
4 MANUFACTURERS OR SUPPLIERS OF GASOLINE AND THAT THE DIRECTORS DETERMINE WILL
5 RESULT IN MOTOR VEHICLE NON-METHANE HYDROCARBON EMISSIONS THAT ARE EQUAL TO
6 OR LESS THAN THE EMISSIONS THAT RESULT UNDER COMPLIANCE WITH SUBSECTION D OF
7 THIS SECTION. IN MAKING THIS DETERMINATION, THE DIRECTOR OF THE DEPARTMENT
8 OF WEIGHTS AND MEASURES AND THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL
9 QUALITY SHALL COMPARE THE MOTOR VEHICLE NON-METHANE HYDROCARBON EMISSIONS OF
10 THE ALTERNATE FUEL CONTROL MEASURE WITH THE MOTOR VEHICLE NON-METHANE
11 HYDROCARBON EMISSIONS OF A FUEL THAT COMPLIES WITH THE MAXIMUM VAPOR PRESSURE
12 STANDARD AS PRESCRIBED BY SUBSECTION D OF THIS SECTION.

13 F. ANY ALTERNATE FUEL CONTROL MEASURES THAT ARE APPROVED SHALL NOT
14 INCREASE EMISSIONS OF NON-METHANE HYDROCARBONS, PARTICULATES, CARBON MONOXIDE
15 OR OXIDES OF NITROGEN. ALTERNATE FUEL CONTROL MEASURES APPROVED PURSUANT TO
16 SUBSECTION E OF THIS SECTION AND THIS SUBSECTION MAY BE USED BY ANY
17 MANUFACTURER OR SUPPLIER OF GASOLINE UNLESS THE APPROVAL IS RESCINDED MORE
18 THAN ONE HUNDRED EIGHTY DAYS BEFORE THE FIRST DAY OF A GASOLINE CONTROL
19 PERIOD. MANUFACTURERS AND SUPPLIERS WHO USE AN APPROVED ALTERNATE FUEL
20 CONTROL MEASURE SHALL ANNUALLY SUBMIT A COMPLIANCE PLAN TO THE DIRECTOR OF
21 THE DEPARTMENT OF WEIGHTS AND MEASURES NO LATER THAN SIXTY DAYS BEFORE THE
22 FIRST DAY OF A GASOLINE CONTROL PERIOD.

23 Sec. 11. Section 41-2121, Arizona Revised Statutes, is amended to
24 read:

25 41-2121. Definitions

26 In this article, unless the context otherwise requires:

- 27 1. "Area A" has the same meaning prescribed in section 49-541.
28 2. "Area B" has the same meaning prescribed in section 49-541.
29 3. "AREA C" MEANS THAT PORTION OF PINAL COUNTY LYING WEST OF RANGE 11
30 EAST, EXCLUDING THAT PORTION OF THE COUNTY LYING WITHIN AREA A AS DEFINED IN
31 SECTION 49-541 AND THAT PORTION OF THE COUNTY WITHIN THE JURISDICTION OF ANY
32 INDIAN TRIBE, BAND, GROUP OR COMMUNITY THAT IS RECOGNIZED BY THE UNITED
33 STATES SECRETARY OF THE INTERIOR AND THAT EXERCISES GOVERNMENTAL AUTHORITY
34 WITHIN THE LIMITS OF ANY INDIAN RESERVATION UNDER THE JURISDICTION OF THE
35 UNITED STATES GOVERNMENT, NOTWITHSTANDING THE ISSUANCE OF ANY PATENT AND
36 INCLUDING RIGHTS-OF-WAY RUNNING THROUGH THE RESERVATION.

37 ~~3.~~ 4. "Fleet owner" means a registered owner or lessee of at least
38 twenty-five vehicles.

39 ~~4.~~ 5. "Gasoline" means a volatile, highly flammable liquid mixture of
40 hydrocarbons that does not contain more than five one-hundredths grams of
41 lead for each United States gallon, that is produced, refined, manufactured,
42 blended, distilled or compounded from petroleum, natural gas, oil, shale oils
43 or coal and other flammable liquids free from undissolved water, sediment or
44 suspended matter, with or without additives, and that is commonly used as a

1 fuel for spark ignition internal combustion engines. Gasoline does not
2 include diesel fuel or the ethanol blend E85 as defined in ASTM D5798-99.

3 ~~5-~~ 6. "Manufacturer's proving ground" means a facility whose sole
4 purpose is to develop complete advanced vehicles for an automotive
5 manufacturer.

6 ~~6-~~ 7. "Motor vehicle racing event" means a race that uses unlicensed
7 vehicles that are designed and manufactured specifically for racing purposes
8 and that is conducted on a public or private racecourse for the entertainment
9 of the general public. A motor vehicle racing event includes practice,
10 qualifying and demonstration laps conducted as part of the activities related
11 to a motor vehicle race.

12 ~~7-~~ 8. "Oxygenate" means any oxygen-containing ashless, organic
13 compound, including aliphatic alcohols and aliphatic ethers, that may be used
14 as a fuel or as a gasoline blending component and that is approved as a
15 blending agent under the provisions of a waiver issued by the United States
16 environmental protection agency pursuant to 42 United States Code section
17 7545(f).

18 ~~8-~~ 9. "Oxygenated fuel" means an unleaded motor fuel blend that
19 consists primarily of gasoline and at least one and one-half per cent by
20 weight of one or more oxygenates and that has been blended consistent with
21 the provisions of a waiver issued by the United States environmental
22 protection agency pursuant to 42 United States Code section 7545(f).

23 ~~9-~~ 10. "Product transfer document" means any bill of lading, loading
24 ticket, manifest, delivery receipt, invoice or other documentation used on
25 any occasion when a person transfers custody or title of motor fuel other
26 than when motor fuel is sold or dispensed at a service station or fleet
27 vehicle fueling facility.

28 ~~10-~~ 11. "Supplier" means any person who imports gasoline into a
29 vehicle emissions control area by means of a pipeline or in truckload
30 quantities for the person's own use within the vehicle emissions control area
31 or any person who sells gasoline intended for ultimate consumption within a
32 vehicle emissions control area, except that supplier does not mean a person
33 with respect to gasoline supplied or sold by the person to another for resale
34 to a retailer within a vehicle emissions control area or to a fleet owner for
35 consumption within a vehicle emissions control area.

36 ~~11-~~ 12. "Vehicle emissions control area" has the same meaning
37 prescribed in section 49-541, except that such an area does not include a
38 manufacturer's proving ground that is located in the vehicle emissions
39 control area.

40 Sec. 12. Title 41, chapter 15, article 6, Arizona Revised Statutes, is
41 amended by adding section 41-2124.01, to read:

42 41-2124.01. Area C; fuel reformulation; rules

43 A. FROM AND AFTER MAY 31, 2008 THROUGH SEPTEMBER 30, 2008 AND DURING
44 THE PERIOD FROM AND AFTER MAY 31 THROUGH SEPTEMBER 30 OF EACH SUBSEQUENT
45 YEAR, ALL GASOLINE PRODUCED AND SHIPPED TO OR WITHIN THIS STATE AND SOLD OR

1 OFFERED FOR SALE FOR USE IN MOTOR VEHICLES IN AREA C SHALL COMPLY WITH EITHER
2 OF THE FOLLOWING FUEL REFORMULATION OPTIONS:

3 1. A GASOLINE THAT MEETS STANDARDS FOR FEDERAL PHASE II REFORMULATED
4 GASOLINE, AS PROVIDED IN 40 CODE OF FEDERAL REGULATIONS SECTION 80.41,
5 PARAGRAPHS (e) THROUGH (h), IN EFFECT ON JANUARY 1, 1999, EXCEPT THAT THE
6 MINIMUM OXYGEN CONTENT STANDARD DOES NOT APPLY. THE GASOLINE SHALL ALSO MEET
7 THE MAXIMUM VAPOR PRESSURE REQUIREMENTS IN SECTION 41-2083.01, SUBSECTION D.
8 2. CALIFORNIA PHASE 2 REFORMULATED GASOLINE, INCLUDING ALTERNATIVE
9 FORMULATIONS ALLOWED BY THE PREDICTIVE MODEL, AS ADOPTED BY THE CALIFORNIA
10 AIR RESOURCES BOARD PURSUANT TO CALIFORNIA CODE OF REGULATIONS TITLE 13,
11 SECTIONS 2261 THROUGH 2262.7 AND 2265, IN EFFECT ON JANUARY 1, 1997, EXCEPT
12 THAT THE MINIMUM OXYGEN CONTENT STANDARD DOES NOT APPLY. THE GASOLINE SHALL
13 ALSO MEET THE MAXIMUM VAPOR PRESSURE REQUIREMENTS IN SECTION 41-2083.01,
14 SUBSECTION D.

15 B. ANY REGISTERED SUPPLIER, AS DEFINED IN DEPARTMENT RULES, MAY
16 PETITION THE DIRECTOR TO REQUEST THAT ALL REGISTERED SUPPLIERS BE ALLOWED TO
17 SUPPLY GASOLINE IN AREA C THAT DOES NOT MEET THE STANDARDS IN SUBSECTION A OF
18 THIS SECTION IF THE PETITIONER DEMONSTRATES THAT A SHORTAGE IN THE SUPPLY OF
19 GASOLINE MEETING THE STANDARDS IN SUBSECTION A OF THIS SECTION IS IMMINENT.

20 C. A PETITION UNDER SUBSECTION B OF THIS SECTION SHALL:

21 1. IDENTIFY SPECIFIC SUPPLY CONDITIONS THAT WILL RESULT IN A SHORTAGE
22 OF GASOLINE MEETING THE STANDARDS IN SUBSECTION A OF THIS SECTION.
23 2. IDENTIFY THE FORMULATION OF GASOLINE THAT WILL BE SOLD IN AREA C IN
24 LIEU OF GASOLINE MEETING THE STANDARDS IN SUBSECTION A OF THIS SECTION.
25 3. SPECIFY A TIME PERIOD FOR COMPLIANCE WITH THE STANDARDS OF
26 SUBSECTION A OF THIS SECTION NOT TO EXCEED SIXTY DAYS.

27 D. THE DIRECTOR SHALL EITHER GRANT OR DENY A PETITION UNDER SUBSECTION
28 B OF THIS SECTION IN WRITING WITHIN SEVEN DAYS OF ITS RECEIPT. ANY DECISION
29 BY THE DIRECTOR TO GRANT THE PETITION SHALL BE EQUALLY APPLICABLE TO ALL
30 REGISTERED SUPPLIERS AND SHALL NOT BE SELECTIVELY APPLIED TO ANY SINGLE
31 REGISTERED SUPPLIER. THE PETITION MAY BE GRANTED ONLY IF THE DIRECTOR
32 VERIFIES THAT THE BASIS FOR REQUESTING THE PETITION IS FACTUAL.

33 E. THE DIRECTOR MAY REAUTHORIZE A PETITION GRANTED UNDER SUBSECTION B
34 OF THIS SECTION IF THE PETITIONER DEMONSTRATES THAT THE CONDITIONS IDENTIFIED
35 IN THE PETITION HAVE CONTINUED. THE REAUTHORIZATION OF A PETITION SHALL NOT
36 EXCEED THIRTY DAYS.

37 F. THE DIRECTOR OF THE DEPARTMENT OF WEIGHTS AND MEASURES SHALL
38 CONSULT WITH THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY BEFORE
39 GRANTING, REAUTHORIZING OR DENYING ANY PETITION UNDER SUBSECTION B OF THIS
40 SECTION.

41 G. THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN
42 CONSULTATION WITH THE DIRECTOR OF THE DEPARTMENT OF WEIGHTS AND MEASURES
43 SHALL ADOPT BY RULE:

44 1. REQUIREMENTS TO IMPLEMENT SUBSECTIONS A, B AND C OF THIS SECTION.

1 2. REQUIREMENTS FOR RECORD KEEPING, REPORTING AND ANALYTICAL METHODS
2 FOR FUEL PROVIDERS TO DEMONSTRATE COMPLIANCE WITH SUBSECTION A OF THIS
3 SECTION.

4 H. THIS SECTION DOES NOT APPLY TO FUEL SOLD FOR USE AT A MOTOR VEHICLE
5 MANUFACTURER PROVING GROUND OR AT A MOTOR VEHICLE RACING EVENT.

6 Sec. 13. Section 41-2124.01, Arizona Revised Statutes, as added by
7 section 12 of this act, is amended to read:

8 41-2124.01. Area C; fuel reformulation; rules

9 A. From and after May 31, 2008 through September 30, 2008 and during
10 the period from and after May 31 through September 30 of each subsequent
11 year, all gasoline produced and shipped to or within this state and sold or
12 offered for sale for use in motor vehicles in area C shall comply with either
13 of the following fuel reformulation options:

14 1. A gasoline that meets standards for federal phase II reformulated
15 gasoline, as provided in 40 Code of Federal Regulations section 80.41,
16 paragraphs (e) through (h), in effect on January 1, 1999, except that the
17 minimum oxygen content standard does not apply. The gasoline shall also meet
18 the maximum vapor pressure requirements in section 41-2083.01, subsection D.

19 2. California phase 2-3 reformulated gasoline, including alternative
20 formulations allowed by the predictive model, as adopted by the California
21 air resources board pursuant to California Code of Regulations title 13,
22 sections 2261 through 2262.7 and 2263, 2265 AND 2266.5, in effect on January
23 1, 1997 MAY 1, 2003, ~~except that the minimum oxygen content standard does not~~
24 ~~apply. The gasoline shall also meet the maximum~~ INCLUDING vapor pressure
25 requirements ~~in section 41-2083.01, subsection D~~ CONTAINED IN SECTION 2262.4.

26 B. Any registered supplier, as defined in department rules, may
27 petition the director to request that all registered suppliers be allowed to
28 supply gasoline in area C that does not meet the standards in subsection A of
29 this section if the petitioner demonstrates that a shortage in the supply of
30 gasoline meeting the standards in subsection A of this section is imminent.

31 C. A petition under subsection B of this section shall:

32 1. Identify specific supply conditions that will result in a shortage
33 of gasoline meeting the standards in subsection A of this section.

34 2. Identify the formulation of gasoline that will be sold in area C in
35 lieu of gasoline meeting the standards in subsection A of this section.

36 3. Specify a time period for compliance with the standards of
37 subsection A of this section not to exceed sixty days.

38 D. The director shall either grant or deny a petition under subsection
39 B of this section in writing within seven days of its receipt. Any decision
40 by the director to grant the petition shall be equally applicable to all
41 registered suppliers and shall not be selectively applied to any single
42 registered supplier. The petition may be granted only if the director
43 verifies that the basis for requesting the petition is factual.

44 E. The director may reauthorize a petition granted under subsection G
45 of this section if the petitioner demonstrates that the conditions identified

1 in the petition have continued. The reauthorization of a petition shall not
2 exceed thirty days.

3 F. The director of the department of weights and measures shall
4 consult with the director of the department of environmental quality before
5 granting, reauthorizing or denying any petition under subsection B of this
6 section.

7 G. The director of the department of environmental quality in
8 consultation with the director of the department of weights and measures
9 shall adopt by rule:

10 1. Requirements to implement subsections A, B and C of this section.

11 2. Requirements for record keeping, reporting and analytical methods
12 for fuel providers to demonstrate compliance with subsection A of this
13 section.

14 H. This section does not apply to fuel sold for use at a motor vehicle
15 manufacturer proving ground or at a motor vehicle racing event.

16 Sec. 14. Section 49-457, Arizona Revised Statutes, is amended to read:
17 49-457. Agricultural best management practices committee;

18 members; powers; permits; definitions

19 A. A best management practices committee for regulated agricultural
20 activities is established.

21 B. The committee shall consist of:

22 1. The director OF ENVIRONMENTAL QUALITY or the director's designee.

23 2. The director of the ARIZONA department of agriculture or the
24 director's designee.

25 3. The dean of the college of agriculture of the university of Arizona
26 or the dean's designee.

27 4. The state director of the United States natural resources
28 conservation service or the director's designee.

29 5. One person actively engaged in the production of citrus.

30 6. One person actively engaged in the production of vegetables.

31 7. One person actively engaged in the production of cotton.

32 8. One person actively engaged in the production of alfalfa.

33 9. One person actively engaged in the production of grain.

34 10. One soil taxonomist from the university of Arizona college of
35 agriculture.

36 C. The governor shall appoint the members designated pursuant to
37 subsection A- B, paragraphs 5 through 10 of this section for a term of six
38 years. Members may be reappointed. Members are not entitled to compensation
39 for their services but are entitled to receive reimbursement of expenses
40 pursuant to ~~section 38-611, subsection D~~ TITLE 38, CHAPTER 4, ARTICLE 2.

41 D. The committee shall elect a chairman from the appointed members to
42 serve a two year term.

43 E. The committee shall meet at the call of the chairman or at the
44 request of a majority of the appointed members.

1 F. The department of environmental quality, the ARIZONA department of
2 agriculture and the college of agriculture of the university of Arizona shall
3 cooperate with and provide technical assistance and any necessary information
4 to the committee. The department of environmental quality shall provide the
5 necessary staff support and meeting facilities for the committee.

6 G. Notwithstanding subsections I, J and K of this section, a person
7 engaged in a regulated agricultural activity on ~~the effective date of this~~
8 ~~section~~ AUGUST 21, 1998 shall comply with the general permit as provided in
9 subsection H of this section by December 31, 2001. A person who commences a
10 regulated agricultural activity after December 31, 2000, shall comply with
11 the general permit within eighteen months of commencing the activity.

12 H. By June 10, 2000, the committee shall adopt, by rule, an
13 agricultural general permit specifying best management practices for
14 regulated agricultural activities to reduce PM-10 particulate emissions. A
15 person subject to an agricultural general permit pursuant to this section is
16 not subject to a permit issued pursuant to section 49-426 except as provided
17 in subsection K of this section. The committee shall adopt by rule a list of
18 best management practices, at least ~~one~~ TWO of which shall be used to
19 demonstrate compliance with applicable provisions of the general permit no
20 later than December 31, ~~2001~~ 2007. Best management practices may vary within
21 the ~~Maricopa PM-10 particulate nonattainment~~ REGULATED area, according to
22 regional or geographical conditions or cropping patterns. The director shall
23 submit the rule to the United States environmental protection agency as a
24 revision to the applicable implementation plan ~~within sixty days of adoption~~
25 NO LATER THAN DECEMBER 31, 2007.

26 I. If the director determines that a person engaged in a regulated
27 activity is not in compliance with the general permit, and that person has
28 not previously been subject to a compliance order issued pursuant to this
29 section, the director may serve upon the person by certified mail an order
30 requiring compliance with the general permit and notifying the person of the
31 opportunity for a hearing pursuant to title 41, chapter 6, article 10. The
32 order shall state with reasonable particularity the nature of the
33 noncompliance and shall specify that the person has a period that the
34 director determines is reasonable, but is not less than six months, to submit
35 a plan to the supervisors of the natural resource conservation district in
36 which the person engages in the regulated activity that specifies the best
37 management practices from among those adopted in rule pursuant to subsection
38 H of this section that the person will use to comply with the general permit.

39 J. If the director determines that a person engaged in a regulated
40 activity is not in compliance with the general permit, and that person has
41 previously submitted a plan pursuant to subsection I of this section, the
42 director may serve upon the person by certified mail an order requiring
43 compliance with the general permit and notifying the person of the
44 opportunity for a hearing pursuant to title 41, chapter 6, article 10. The
45 order shall state with reasonable particularity the nature of the

1 noncompliance and shall specify that the person has a period that the
2 director determines is reasonable, but is not less than six months, to submit
3 a plan to the department that specifies the best management practices from
4 among those adopted in rule pursuant to subsection H of this section that the
5 person will use to comply with the general permit.

6 K. If a person fails to comply with the plan submitted pursuant to
7 subsection J of this section, the director may revoke the agricultural
8 general permit for that person and ~~to~~ require that the person obtain an
9 individual permit pursuant to section 49-426. A revocation becomes effective
10 after the director has provided the person with notice and an opportunity for
11 a hearing pursuant to title 41, chapter 6, article 10.

12 L. The committee may periodically reexamine, evaluate and modify best
13 management practices. Any approved modifications shall be submitted to the
14 United States environmental protection agency as a revision to the applicable
15 implementation plan.

16 M. The committee shall develop and commence an education program by
17 June 10, 2000. The education program shall be conducted by the director or
18 the director's designee or designees.

19 N. In this section, unless the context otherwise requires:

20 1. "Agricultural general permit" means best management practices that:

21 (a) Reduce PM-10 particulate emissions from tillage practices and from
22 harvesting on a commercial farm.

23 (b) Reduce PM-10 particulate emissions from those areas of a
24 commercial farm that are not normally in crop production.

25 (c) Reduce PM-10 particulate emissions from those areas of a
26 commercial farm that are normally in crop production including prior to plant
27 emergence and when the land is not in crop production.

28 2. "Applicable implementation plan" means that term as defined in 42
29 United States Code SECTION 7601(q).

30 3. "Best management practices" means techniques THAT ARE verified by
31 scientific research, ~~AND~~ AND that on a case by case basis are practical,
32 economically feasible and effective in reducing PM-10 particulate emissions
33 from a regulated agricultural activity.

34 4. "Maricopa PM-10 particulate nonattainment area" means the Phoenix
35 planning area as set forth in 40 Code of Federal Regulations ~~part~~ SECTION
36 81.303.

37 5. "Regulated agricultural activities" means commercial farming
38 practices that may produce PM-10 particulate emissions within the Maricopa
39 ~~PM-10 particulate nonattainment area~~ REGULATED AREA.

40 6. "REGULATED AREA" MEANS THE MARICOPA PM-10 NONATTAINMENT AREA AND
41 ANY PORTION OF AREA A THAT IS LOCATED IN A COUNTY WITH A POPULATION OF TWO
42 MILLION OR MORE PERSONS.

1 Sec. 15. Title 49, chapter 3, article 2, Arizona Revised Statutes, is
2 amended by adding sections 49-457.01, 49-457.02, 49-457.03 and 49-457.04, to
3 read:

4 49-457.01. Leaf blower use restrictions and training; leaf
5 blower equipment sellers; informational material;
6 outreach; applicability

7 A. THIS SECTION APPLIES IN A COUNTY WITH A POPULATION OF TWO MILLION
8 OR MORE PERSONS OR ANY PORTION OF A COUNTY WITHIN AN AREA DESIGNATED BY THE
9 ENVIRONMENTAL PROTECTION AGENCY AS A SERIOUS PM-10 NONATTAINMENT AREA OR A
10 MAINTENANCE AREA THAT WAS DESIGNATED AS A SERIOUS PM-10 NONATTAINMENT AREA.

11 B. AFTER MARCH 31, 2008, NO PERSON MAY USE A LEAF BLOWER TO BLOW
12 LANDSCAPE DEBRIS INTO PUBLIC ROADWAYS.

13 C. AFTER MARCH 31, 2008, NO PERSON MAY OPERATE A LEAF BLOWER EXCEPT ON
14 SURFACES THAT HAVE BEEN STABILIZED WITH ASPHALTIC CONCRETE, CEMENT CONCRETE,
15 HARDSCAPE, PENETRATION TREATMENT OF BITUMINOUS MATERIAL AND SEAL COAT OF
16 BITUMINOUS BINDER AND A MINERAL AGGREGATE, DECOMPOSED GRANITE COVER, CRUSHED
17 GRANITE COVER, AGGREGATE COVER, GRAVEL COVER, OR GRASS OR OTHER CONTINUOUS
18 VEGETATIVE COVER, OR ANY COMBINATION OF THOSE STABILIZERS.

19 D. AT LEAST ONCE EVERY THREE YEARS, ANY PERSON OPERATING A LEAF BLOWER
20 FOR REMUNERATION SHALL SUCCESSFULLY COMPLETE TRAINING APPROVED BY THE
21 DEPARTMENT ON HOW TO OPERATE A LEAF BLOWER IN A MANNER DESIGNED TO MINIMIZE
22 THE GENERATION OF FUGITIVE DUST EMISSIONS. ANY PERSON WHO IS REQUIRED TO BE
23 TRAINED UNDER THIS SUBSECTION SHALL COMPLETE INITIAL TRAINING NO LATER THAN
24 DECEMBER 31, 2008.

25 E. ANY PERSON WHO RENTS OR SELLS IN THE NORMAL COURSE OF BUSINESS
26 EQUIPMENT THAT IS USED FOR BLOWING LANDSCAPE DEBRIS SHALL PROVIDE TO THE
27 BUYER OR RENTER OF THE EQUIPMENT PRINTED MATERIALS THAT ARE APPROVED BY THE
28 DEPARTMENT PURSUANT TO THIS SECTION.

29 F. THE DEPARTMENT SHALL PRODUCE PRINTED MATERIALS AND DISTRIBUTE THOSE
30 MATERIALS TO PERSONS WHO SELL OR RENT EQUIPMENT USED FOR BLOWING LANDSCAPE
31 DEBRIS. THE PRINTED MATERIALS SHALL BE DESIGNED TO EDUCATE AND INFORM THE
32 USER OF THE EQUIPMENT ON THE SAFE AND EFFICIENT USE OF THE EQUIPMENT,
33 INCLUDING METHODS FOR REDUCING THE GENERATION OF DUST, AND SHALL INCLUDE
34 INFORMATION REGARDING DUST CONTROL ORDINANCES AND RESTRICTIONS THAT MAY BE
35 APPLICABLE.

36 G. THIS SECTION DOES NOT APPLY TO ANY SITE THAT HAS A PERMIT ISSUED BY
37 A CONTROL OFFICER AS DEFINED IN SECTION 49-471 FOR THE CONTROL OF FUGITIVE
38 DUST FROM DUST GENERATING OPERATIONS.

39 49-457.02. Dust-free developments program; certification; seal

40 A. THE DEPARTMENT SHALL ESTABLISH THE DUST-FREE DEVELOPMENTS PROGRAM
41 TO ENCOURAGE AND RECOGNIZE PERSONS AND ENTITIES THAT DEMONSTRATE EXCEPTIONAL
42 COMMITMENT TO THE REDUCTION OF AIRBORNE DUST IN A COUNTY WITH A POPULATION OF
43 MORE THAN TWO MILLION PERSONS AND IN THE PM-10 NONATTAINMENT AREA THAT
44 CONTAINS THE CITY OF APACHE JUNCTION. THE PROGRAM SHALL INCLUDE A VOLUNTARY
45 CERTIFICATION PROCESS BASED ON CRITERIA DEVELOPED BY THE DEPARTMENT.

1 49-457.04. Off-highway vehicle and all-terrain vehicle dealers;
2 informational material; outreach; applicability

3 A. ANY PERSON WHO RENTS OR SELLS IN THE NORMAL COURSE OF BUSINESS
4 OFF-HIGHWAY VEHICLES, ALL-TERRAIN VEHICLES OR OFF-ROAD RECREATIONAL MOTOR
5 VEHICLES, OTHER THAN GOLF CARTS SOLD TO PUBLIC OR PRIVATE GOLF COURSES, SHALL
6 PROVIDE TO THE BUYER OR RENTER OF THE VEHICLE PRINTED MATERIALS THAT ARE
7 APPROVED BY THE DEPARTMENT PURSUANT TO THIS SECTION.

8 B. THE DEPARTMENT SHALL PRODUCE PRINTED MATERIALS AND DISTRIBUTE THOSE
9 MATERIALS TO PERSONS WHO SELL OR RENT OFF-HIGHWAY VEHICLES, ALL-TERRAIN
10 VEHICLES OR OFF-ROAD RECREATIONAL MOTOR VEHICLES. THE PRINTED MATERIALS
11 SHALL BE DESIGNED TO EDUCATE AND INFORM THE USER OF THE VEHICLE ON METHODS
12 FOR REDUCING THE GENERATION OF DUST AND SHALL INCLUDE INFORMATION REGARDING
13 DUST CONTROL ORDINANCES AND RESTRICTIONS THAT MAY BE APPLICABLE. THE
14 DEPARTMENT SHALL MAKE AVAILABLE ON THE DEPARTMENT'S WEBSITE THE PRINTED
15 MATERIALS IN A FORMAT THAT IS ACCESSIBLE TO THE PUBLIC.

16 C. THIS SECTION APPLIES IN A COUNTY WITH A POPULATION OF TWO MILLION
17 OR MORE PERSONS OR ANY PORTION OF A COUNTY IN AN AREA DESIGNATED BY THE
18 ENVIRONMENTAL PROTECTION AGENCY AS A SERIOUS PM-10 NONATTAINMENT AREA OR A
19 MAINTENANCE AREA THAT WAS DESIGNATED AS A SERIOUS PM-10 NONATTAINMENT AREA.

20 Sec. 16. Section 49-474.01, Arizona Revised Statutes, is amended to
21 read:

22 49-474.01. Additional board duties in vehicle emissions control
23 areas; definitions

24 A. The board of supervisors of a county which contains any portion of
25 area A or area B as defined in section 49-541 shall:

26 1. In area A, in consultation with the designated metropolitan
27 planning organization, synchronize traffic control signals on all existing
28 and new roadways, within the unincorporated area and at jurisdictional
29 boundaries, which have a traffic flow exceeding fifteen thousand motor
30 vehicles per day.

31 2. In area A, beginning on January 1, 2000, develop and implement
32 plans to stabilize targeted unpaved roads, alleys and unpaved shoulders on
33 targeted arterials. The plans shall address the performance goals, the
34 criteria for targeting roads, alleys and arterials, a schedule for
35 implementation, funding options and reporting requirements.

36 3. In area A, acquire or utilize vacuum systems or other dust removal
37 technology to reduce the particulates attributable to conventional crack
38 sealing operations as existing equipment is retired.

39 4. IN AREA A, BEGINNING JANUARY 1, 2008, DEVELOP AND IMPLEMENT PLANS
40 TO STABILIZE TARGETED UNPAVED ROADS, ALLEYS AND UNPAVED SHOULDERS ON TARGETED
41 ARTERIALS. THE PLANS SHALL ADDRESS THE PERFORMANCE GOALS, THE CRITERIA FOR
42 TARGETING THE ROADS, ALLEYS AND SHOULDERS, A SCHEDULE FOR IMPLEMENTATION,
43 FUNDING OPTIONS AND REPORTING REQUIREMENTS. PRIORITY SHALL BE GIVEN TO THE
44 FOLLOWING:

- 1 (a) UNPAVED ROADS WITH MORE THAN ONE HUNDRED AVERAGE DAILY TRIPS.
2 (b) UNPAVED SHOULDERS ON ARTERIAL ROADS AND OTHER ROAD SEGMENTS WHERE
3 VEHICLE USE ON UNPAVED SHOULDERS IS EVIDENT OR ANTICIPATED DUE TO PROJECTED
4 TRAFFIC VOLUME.
- 5 5. IN A COUNTY WITH A POPULATION OF TWO MILLION OR MORE PERSONS OR ANY
6 PORTION OF A COUNTY IN AN AREA DESIGNATED BY THE ENVIRONMENTAL PROTECTION
7 AGENCY AS A SERIOUS PM-10 NONATTAINMENT AREA OR A MAINTENANCE AREA THAT WAS
8 DESIGNATED AS A SERIOUS PM-10 NONATTAINMENT AREA, NO LATER THAN MARCH 31,
9 2008, ADOPT OR AMEND CODES OR ORDINANCES AND, NO LATER THAN OCTOBER 1, 2008,
10 COMMENCE ENFORCEMENT OF THOSE CODES OR ORDINANCES AS NECESSARY TO REQUIRE
11 THAT PARKING, MANEUVERING, INGRESS AND EGRESS AREAS AT DEVELOPMENTS OTHER
12 THAN RESIDENTIAL BUILDINGS WITH FOUR OR FEWER UNITS ARE MAINTAINED WITH ONE
13 OR MORE OF THE FOLLOWING DUSTPROOF PAVING METHODS:
14 (a) ASPHALTIC CONCRETE.
15 (b) CEMENT CONCRETE.
16 (c) PENETRATION TREATMENT OF BITUMINOUS MATERIAL AND SEAL COAT OF
17 BITUMINOUS BINDER AND A MINERAL AGGREGATE.
18 (d) A STABILIZATION METHOD APPROVED BY THE COUNTY.
- 19 6. IN A COUNTY WITH A POPULATION OF TWO MILLION OR MORE PERSONS OR ANY
20 PORTION OF A COUNTY IN AN AREA DESIGNATED BY THE ENVIRONMENTAL PROTECTION
21 AGENCY AS A SERIOUS PM-10 NONATTAINMENT AREA OR A MAINTENANCE AREA THAT WAS
22 DESIGNATED AS A SERIOUS PM-10 NONATTAINMENT AREA, NO LATER THAN MARCH 31,
23 2008, ADOPT OR AMEND CODES OR ORDINANCES AND, NO LATER THAN OCTOBER 1, 2009,
24 COMMENCE ENFORCEMENT OF THOSE CODES OR ORDINANCES AS NECESSARY TO REQUIRE
25 THAT PARKING, MANEUVERING, INGRESS AND EGRESS AREAS THREE THOUSAND SQUARE
26 FEET OR MORE IN SIZE AT RESIDENTIAL BUILDINGS WITH FOUR OR FEWER UNITS ARE
27 MAINTAINED WITH A PAVING OR STABILIZATION METHOD AUTHORIZED BY THE COUNTY BY
28 CODE, ORDINANCE OR PERMIT.
- 29 7. IN AREA A, NO LATER THAN MARCH 31, 2008, ADOPT OR AMEND CODES OR
30 ORDINANCES AS NECESSARY TO RESTRICT VEHICLE PARKING AND USE ON UNPAVED OR
31 UNSTABILIZED VACANT LOTS.
- 32 8. IN AREA A, REQUIRE THAT NEW OR RENEWED CONTRACTS FOR STREET
33 SWEEPING ON CITY STREETS MUST BE CONDUCTED WITH STREET SWEEPERS THAT MEET THE
34 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT RULE 1186 STREET SWEEPER
35 CERTIFICATION SPECIFICATIONS FOR PICK UP EFFICIENCY AND PM-10 EMISSIONS IN
36 EFFECT ON JANUARY 1, 2007.
- 37 ~~4-~~ 9. In area B, synchronize traffic control signals on roadways with
38 a traffic flow exceeding fifteen thousand motor vehicles per day.
- 39 ~~5-~~ 10. Implement adjusted work hours for at least eighty-five per
40 cent of county employees in area A each year beginning October 1 and ending
41 April 1 in order to reduce the level of carbon monoxide concentrations caused
42 by vehicular travel.
- 43 11. IN A COUNTY WITH A POPULATION OF TWO MILLION OR MORE PERSONS OR
44 ANY PORTION OF A COUNTY WITHIN AN AREA DESIGNATED BY THE ENVIRONMENTAL
45 PROTECTION AGENCY AS A SERIOUS PM-10 NONATTAINMENT AREA OR A MAINTENANCE AREA

1 THAT WAS DESIGNATED AS A SERIOUS PM-10 NONATTAINMENT AREA, NO LATER THAN
2 MARCH 31, 2008, ADOPT RULE PROVISIONS, AND, NO LATER THAN OCTOBER 1, 2008,
3 COMMENCE ENFORCEMENT OF THOSE RULE PROVISIONS REGARDING THE STABILIZATION OF
4 DISTURBED SURFACES OF VACANT LOTS THAT INCLUDE THE FOLLOWING:

5 (a) REASONABLE WRITTEN NOTICE TO THE OWNER OR THE OWNER'S AUTHORIZED
6 AGENT OR THE OWNER'S STATUTORY AGENT THAT THE UNPAVED DISTURBED SURFACE OF A
7 VACANT LOT IS REQUIRED TO BE STABILIZED. THE NOTICE SHALL BE GIVEN NOT LESS
8 THAN THIRTY DAYS BEFORE THE DAY SET FOR COMPLIANCE AND SHALL INCLUDE A LEGAL
9 DESCRIPTION OF THE PROPERTY AND THE ESTIMATED COST TO THE COUNTY FOR THE
10 STABILIZATION IF THE OWNER DOES NOT COMPLY. THE NOTICE SHALL BE EITHER
11 PERSONALLY SERVED OR MAILED BY CERTIFIED MAIL TO THE OWNER'S STATUTORY AGENT,
12 TO THE OWNER AT THE OWNER'S LAST KNOWN ADDRESS OR TO THE ADDRESS TO WHICH THE
13 TAX BILL FOR THE PROPERTY WAS LAST MAILED.

14 (b) AUTHORITY FOR THE COUNTY TO ENTER THE LOT TO STABILIZE THE
15 DISTURBED SURFACE AT THE EXPENSE OF THE OWNER IF THE VACANT LOT HAS NOT BEEN
16 STABILIZED BY THE DAY SET FOR COMPLIANCE.

17 (c) METHODS FOR STABILIZATION OF THE DISTURBED SURFACE OF THE VACANT
18 LOT, THE ACTUAL COST OF STABILIZATION AND THE FINE THAT MAY BE IMPOSED FOR A
19 VIOLATION OF THIS SECTION.

20 B. FOR THE PURPOSES OF SUBSECTION A, PARAGRAPH 11 OF THIS SECTION:

21 1. "DISTURBED SURFACE" MEANS A PORTION OF THE EARTH'S SURFACE OR
22 MATERIAL PLACED ON THE EARTH'S SURFACE THAT HAS BEEN PHYSICALLY MOVED,
23 UNCOVERED, DESTABILIZED OR OTHERWISE MODIFIED FROM ITS UNDISTURBED NATIVE
24 CONDITION IF THE POTENTIAL FOR THE EMISSION OF FUGITIVE DUST IS INCREASED BY
25 THE MOVEMENT, DESTABILIZATION OR MODIFICATION.

26 2. VACANT LOTS DO NOT INCLUDE ANY SITE OF DISTURBED SURFACE AREA THAT
27 IS SUBJECT TO A PERMIT ISSUED BY A CONTROL OFFICER THAT REQUIRES CONTROL OF
28 PM-10 EMISSIONS FROM DUST GENERATING OPERATIONS.

29 ~~B-~~ C. The board of supervisors of a county that contains any portion
30 of area A as defined in section 49-541 shall make and enforce ordinances
31 consistent with section 49-588 to reduce or encourage the reduction of the
32 commuter use of motor vehicles by employees of the county and employees whose
33 place of employment is within area A.

34 ~~C-~~ D. The board of supervisors in a county that contains any portion
35 of area A shall develop and implement a vehicle fleet plan for the purpose of
36 encouraging and progressively increasing the use of alternative fuels and
37 clean burning fuels in county owned vehicles operating in area A.

38 ~~D-~~ E. The plan shall include a timetable for increasing the use of
39 alternative fuels and clean burning fuels in fleet vehicles either through
40 purchase or conversion. The timetable shall reflect the following schedule
41 and percentage of vehicles that operate on alternative fuels or clean burning
42 fuels:

- 43 1. At least eighteen per cent of the total fleet by December 31, 1995.
44 2. At least twenty-five per cent of the total fleet by December 31,
45 1996.

1 3. At least fifty per cent of the total fleet by December 31, 1998.

2 4. At least seventy-five per cent of the total fleet by December 31,
3 2000 and each year thereafter.

4 ~~F.~~ F. The requirements of subsections ~~G~~ D and ~~D~~ E of this section
5 may be waived on receipt of certification supported by evidence acceptable to
6 the department that the county is unable to acquire or be provided equipment
7 or refueling facilities necessary to operate vehicles using alternative fuels
8 or clean burning fuels at a projected cost that is reasonably expected to
9 result in net costs of no greater than ten per cent more than the net costs
10 associated with the continued use of conventional gasoline or diesel fuels
11 measured over the expected useful life of the equipment or facilities
12 supplied. Applications for waivers shall be filed with the department
13 pursuant to section 49-412. An entity that receives a waiver pursuant to
14 this section shall retrofit fleet heavy-duty diesel vehicles with a gross
15 vehicle weight of eight thousand five hundred pounds or more, that were
16 manufactured in or before model year 1993 and that are the subject of the
17 waiver with a technology that is effective at reducing particulate emissions
18 at least twenty-five per cent or more and that has been approved by the
19 United States environmental protection agency pursuant to the urban bus
20 engine retrofit/rebuild program. The entity shall comply with the
21 implementation schedule pursuant to section 49-555.

22 ~~F.~~ G. If the requirements of subsections ~~G~~ D and ~~D~~ E of this
23 section are met by the use of clean burning fuel, vehicle equivalents under
24 those requirements shall be calculated as follows:

25 1. One vehicle equivalent for every four hundred fifty gallons of neat
26 biodiesel or two thousand two hundred fifty gallons of a diesel fuel
27 substitute prescribed in section 1-215, paragraph 7, subdivision (b).

28 2. One vehicle equivalent for every five hundred thirty gallons of the
29 fuel prescribed in section 1-215, paragraph 7, subdivision (d).

30 H. SUBSECTION A, PARAGRAPHS 5, 6 AND 7 OF THIS SECTION DO NOT APPLY TO
31 ANY SITE THAT HAS A PERMIT ISSUED BY A CONTROL OFFICER AS DEFINED IN SECTION
32 49-471 FOR THE CONTROL OF FUGITIVE DUST FROM DUST GENERATING OPERATIONS.

33 ~~G.~~ I. For the purposes of this section, "alternative fuel" and "clean
34 burning fuel" have the same meanings prescribed in section 1-215.

35 Sec. 17. Title 49, chapter 3, article 3, Arizona Revised Statutes, is
36 amended by adding sections 49-474.05, 49-474.06 and 49-474.07, to read:

37 49-474.05. Dust control; training; site coordinators

38 A. THIS SECTION APPLIES IN A COUNTY WITH A POPULATION OF TWO MILLION
39 OR MORE PERSONS OR ANY PORTION OF A COUNTY IN AN AREA DESIGNATED BY THE
40 ENVIRONMENTAL PROTECTION AGENCY AS A SERIOUS PM-10 NONATTAINMENT AREA OR A
41 MAINTENANCE AREA THAT WAS DESIGNATED AS A SERIOUS PM-10 NONATTAINMENT AREA.

42 B. NO LATER THAN JANUARY 1, 2008, THE CONTROL OFFICER SHALL DEVELOP
43 AND IMPLEMENT BASIC AND COMPREHENSIVE TRAINING PROGRAMS FOR THE SUPPRESSION
44 OF PM-10 EMISSIONS FROM SOURCES OF PM-10 THAT ARE SUBJECT TO A PERMIT ISSUED
45 BY A CONTROL OFFICER THAT REQUIRES CONTROL OF PM-10 EMISSIONS FROM DUST

1 GENERATING OPERATIONS. THE CONTROL OFFICER MAY APPROVE TRAINING DEVELOPED
2 AND PROVIDED BY A THIRD PARTY AND THE BOARD OF SUPERVISORS MAY ADOPT RULES
3 PRESCRIBING STANDARDS FOR DUST CONTROL TRAINING.

4 C. AT LEAST ONCE EVERY THREE YEARS, THE FOLLOWING PERSONS ARE REQUIRED
5 TO SUCCESSFULLY COMPLETE BASIC DUST CONTROL TRAINING:

6 1. THE SITE SUPERINTENDENT OR OTHER DESIGNATED ON-SITE REPRESENTATIVE
7 OF THE PERMIT HOLDER IF PRESENT AT A SITE THAT HAS MORE THAN ONE ACRE OF
8 DISTURBED SURFACE AREA THAT IS SUBJECT TO A PERMIT ISSUED BY A CONTROL
9 OFFICER REQUIRING CONTROL OF PM-10 EMISSIONS FROM DUST GENERATING OPERATIONS.

10 2. WATER TRUCK AND WATER PULL DRIVERS.

11 D. PERSONS WHO ARE REQUIRED TO BE TRAINED UNDER THIS SECTION SHALL
12 COMPLETE THE TRAINING NO LATER THAN DECEMBER 31, 2008. ALL PERSONS WHO HAVE
13 SUCCESSFULLY COMPLETED TRAINING DURING THE 2006 AND 2007 CALENDAR YEARS ARE
14 DEEMED TO HAVE SATISFIED THIS REQUIREMENT IF THE TRAINING PROGRAM COMPLETED
15 WAS CONDUCTED OR APPROVED BY A COUNTY AIR POLLUTION CONTROL OFFICER.
16 COMPLETION OF THE TRAINING REQUIRED UNDER SUBSECTION G SATISFIES THE
17 REQUIREMENTS OF THIS SUBSECTION.

18 E. NO LATER THAN JUNE 30, 2008, THE PERMITTEE FOR ANY SITE OF FIVE
19 ACRES OR MORE OF DISTURBED SURFACE AREA SUBJECT TO A PERMIT ISSUED BY A
20 CONTROL OFFICER REQUIRING CONTROL OF PM-10 EMISSIONS FROM DUST GENERATING
21 OPERATIONS SHALL HAVE ON SITE AT LEAST ONE DUST CONTROL COORDINATOR TRAINED
22 IN ACCORDANCE WITH THIS SECTION AT ALL TIMES DURING PRIMARY DUST GENERATING
23 OPERATIONS RELATED TO THE PURPOSES FOR WHICH THE DUST CONTROL PERMIT WAS
24 OBTAINED.

25 F. A DUST CONTROL COORDINATOR HAS FULL AUTHORITY TO ENSURE THAT DUST
26 CONTROL MEASURES ARE IMPLEMENTED ON SITE, INCLUDING CONDUCTING INSPECTIONS,
27 DEPLOYMENT OF DUST SUPPRESSION RESOURCES AND MODIFICATION OR SHUTDOWN OF
28 ACTIVITIES AS NEEDED TO CONTROL DUST. THE DUST CONTROL COORDINATOR SHALL BE
29 RESPONSIBLE FOR MANAGING DUST PREVENTION AND DUST CONTROL ON THE SITE.

30 G. AT LEAST ONCE EVERY THREE YEARS, THE DUST CONTROL COORDINATOR SHALL
31 SUCCESSFULLY COMPLETE A COMPREHENSIVE DUST CONTROL CLASS CONDUCTED OR
32 APPROVED UNDER SUBSECTION A BY THE COUNTY AIR POLLUTION CONTROL OFFICER WITH
33 JURISDICTION OVER THE SITE. THE DUST CONTROL COORDINATOR SHALL HAVE A VALID
34 DUST TRAINING CERTIFICATION IDENTIFICATION CARD READILY ACCESSIBLE ON SITE
35 WHILE ACTING AS A DUST CONTROL COORDINATOR. ALL PERSONS HAVING SUCCESSFULLY
36 COMPLETED TRAINING DURING THE 2006 AND 2007 CALENDAR YEARS ARE DEEMED TO HAVE
37 SATISFIED THIS REQUIREMENT IF THE TRAINING PROGRAM COMPLETED WAS CONDUCTED OR
38 APPROVED BY A COUNTY AIR POLLUTION CONTROL OFFICER.

39 H. SUBSECTIONS C AND D DO NOT APPLY WHEN ON-SITE DUST GENERATING
40 OPERATIONS ARE CONDUCTED BY A PERMITTEE WHO IS REQUIRED TO OBTAIN A SINGLE
41 PERMIT FOR MULTIPLE NONCONTIGUOUS SITES THAT IS ISSUED BY A CONTROL OFFICER
42 AND THAT REQUIRES CONTROL OF PM-10 EMISSIONS.

43 I. THE REQUIREMENTS OF SUBSECTIONS E AND F LAPSE IF ALL OF THE
44 FOLLOWING APPLY:

45 1. THE AREA OF THE DISTURBED SURFACE AREA IS LESS THAN FIVE ACRES.

1 2. THE PREVIOUSLY DISTURBED AREAS ARE STABILIZED IN ACCORDANCE WITH
2 THE REQUIREMENTS OF APPLICABLE RULES.

3 3. THE PERMITTEE PROVIDES NOTICE OF THE ACREAGE STABILIZED TO THE
4 CONTROL OFFICER.

5 J. PERMITTEES WHO ARE REQUIRED TO OBTAIN A SINGLE PERMIT FOR MULTIPLE
6 NONCONTIGUOUS SITES THAT IS ISSUED BY A CONTROL OFFICER AND THAT REQUIRES
7 CONTROL OF PM-10 EMISSIONS FROM DUST GENERATING OPERATIONS SHALL HAVE ON
8 SITES WITH GREATER THAN ONE ACRE OF DISTURBED SURFACE AREA AT LEAST ONE
9 INDIVIDUAL WHO IS DESIGNATED BY THE PERMITTEE AS A DUST CONTROL COORDINATOR
10 TRAINED IN ACCORDANCE WITH SUBSECTION C. THE DUST CONTROL COORDINATOR SHALL
11 BE PRESENT ON SITE AT ALL TIMES DURING PRIMARY DUST GENERATING ACTIVITIES
12 THAT ARE RELATED TO THE PURPOSES FOR WHICH THE PERMIT WAS OBTAINED. THIS
13 SUBSECTION DOES NOT APPLY TO PERMITTEES SUBJECT TO SUBSECTIONS B AND C.

14 49-474.06. Dust control; subcontractor registration; fee

15 A. IN AN AREA DESIGNATED BY THE ENVIRONMENTAL PROTECTION AGENCY AS A
16 SERIOUS PM-10 NONATTAINMENT AREA OR A MAINTENANCE AREA THAT WAS DESIGNATED AS A
17 SERIOUS PM-10 NONATTAINMENT AREA, A SUBCONTRACTOR WHO IS ENGAGED IN DUST
18 GENERATING OPERATIONS AT A SITE THAT IS SUBJECT TO A PERMIT THAT IS ISSUED BY
19 A CONTROL OFFICER AND THAT REQUIRES CONTROL OF PM-10 EMISSIONS FROM DUST
20 GENERATING OPERATIONS SHALL REGISTER WITH THE CONTROL OFFICER BY SUBMITTING
21 INFORMATION IN THE MANNER PRESCRIBED BY THE CONTROL OFFICER. THE CONTROL
22 OFFICER SHALL ISSUE A REGISTRATION NUMBER AFTER PAYMENT OF THE FEE AUTHORIZED
23 UNDER SUBSECTION C.

24 B. THE SUBCONTRACTOR SHALL HAVE ITS REGISTRATION NUMBER READILY
25 ACCESSIBLE ON SITE WHILE CONDUCTING ANY DUST GENERATING OPERATIONS.

26 C. THE CONTROL OFFICER MAY ESTABLISH AND ASSESS A FEE FOR THE
27 REGISTRATION REQUIRED UNDER SUBSECTION A BASED ON THE TOTAL COST OF
28 PROCESSING THE REGISTRATION AND ISSUANCE OF A REGISTRATION NUMBER.

29 49-474.07. Voluntary diesel equipment retrofit program;
30 criteria; inventory; permits

31 A. A COUNTY WITH A POPULATION OF MORE THAN FOUR HUNDRED THOUSAND
32 PERSONS SHALL OPERATE AND ADMINISTER A VOLUNTARY DIESEL EMISSIONS RETROFIT
33 PROGRAM IN THE COUNTY FOR THE PURPOSE OF REDUCING PARTICULATE EMISSIONS FROM
34 DIESEL EQUIPMENT. THE PROGRAM SHALL PROVIDE FOR REAL AND QUANTIFIABLE
35 EMISSIONS REDUCTIONS BASED ON ACTUAL EMISSIONS REDUCTIONS BY AN AMOUNT
36 GREATER THAN THAT ALREADY REQUIRED BY APPLICABLE LAW, RULE, PERMIT OR ORDER
37 AND COMPUTED BASED ON THE PERCENTAGE EMISSIONS REDUCTIONS FROM THE TESTING OF
38 THE DIESEL RETROFIT EQUIPMENT PRESCRIBED IN SUBSECTION C AS APPLIED TO THE
39 RATED EMISSIONS OF THE ENGINE AND USING THE STANDARD OPERATING HOURS OF THE
40 EQUIPMENT.

41 B. A PERSON MAY PARTICIPATE IN THE PROGRAM IF BOTH OF THE FOLLOWING
42 APPLY:

43 1. THE PERSON IS THE OWNER OF DIESEL POWERED EQUIPMENT THAT REQUIRES A
44 PERMIT ISSUED PURSUANT TO THIS ARTICLE FOR LAWFUL OPERATION.

1 2. THE PERSON REPORTS TO THE CONTROL OFFICER ON THE TYPE OF EQUIPMENT
2 THAT IS RETROFITTED, PROVIDES A METHOD FOR CALCULATING THE EMISSIONS
3 REDUCTIONS ACHIEVED THAT IS APPROVED BY THE CONTROL OFFICER AND PROVIDES
4 EVIDENCE THAT THE RETROFITTED EQUIPMENT IS ACTUALLY USED IN A MANNER THAT
5 RESULTS IN LOWER PARTICULATE EMISSIONS WITH NO INCREASE IN EMISSIONS OF OTHER
6 POLLUTANTS.

7 C. THE VOLUNTARY DIESEL RETROFIT PROGRAM SHALL PROVIDE FOR THE
8 FOLLOWING:

9 1. EACH PERSON WHO PARTICIPATES SHALL ALLOCATE TO THE AIR QUALITY
10 EMISSIONS REDUCTION INVENTORY FOR THAT COUNTY ONE-HALF OF THE TOTAL
11 PARTICULATE EMISSIONS REDUCTION ACHIEVED THROUGH THAT PERSON'S RETROFIT OF
12 DIESEL EQUIPMENT OPERATING AT THE PERMITTED SITE WHETHER OR NOT THAT
13 EQUIPMENT IS REQUIRED TO HAVE A PERMIT.

14 2. EACH PERSON WHO PARTICIPATES SHALL RETAIN ONE-HALF OF THE TOTAL
15 PARTICULATE EMISSIONS REDUCTION ACHIEVED THROUGH THAT PERSON'S RETROFIT OF
16 EQUIPMENT AT THE SITE FOR PURPOSES OF RECEIVING A MODIFICATION TO AN EXISTING
17 PERMIT OR A PROVISION IN A NEW PERMIT THAT ALLOWS FOR EXTENDED HOURS OF
18 OPERATION FOR THE PERMITTED EQUIPMENT, AS COMPARED TO THE EXISTING PERMIT, OR
19 FOR NEW PERMITS, AS COMPARED TO PERMITS FOR SIMILAR EQUIPMENT.

20 3. THE DIESEL EMISSIONS REDUCTION EQUIPMENT THAT IS RETROFITTED SHALL
21 BE REGISTERED WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY WITH NOTICE TO THE
22 APPLICABLE COUNTY, SHALL BE TESTED WITH AN ISO 8178 TEST BY A PROPERLY
23 EQUIPPED LABORATORY AND SHALL DEMONSTRATE AT LEAST A THIRTY-FIVE PER CENT
24 REDUCTION IN PARTICULATE POLLUTION WITH NO INCREASE IN THE GENERATION OR
25 EMISSION OF OTHER REGULATED POLLUTANTS. THIS PARAGRAPH APPLIES WITHOUT
26 REGARD TO WHETHER THE PARTICIPANT IS REQUIRED TO OBTAIN AN AIR QUALITY PERMIT
27 FOR THE EQUIPMENT.

28 4. THE CONTROL OFFICER SHALL PROVIDE A METHOD FOR DETERMINING THE
29 PARTICIPANT'S ELIGIBILITY FOR THE PROGRAM AND FOR THE MODIFICATION OF
30 EXISTING PERMITS OR FOR INCORPORATING THIS PROGRAM'S PROVISIONS INTO THE
31 TERMS OF ANY APPLICABLE NEW PERMITS AS WELL AS ANY REPORTING REQUIREMENTS TO
32 ENSURE CONTINUED USE OF THE EMISSIONS REDUCTION MEASURES.

33 D. THIS SECTION DOES NOT AUTHORIZE A PERMIT CONDITION OR A
34 MODIFICATION TO A PERMIT CONDITION THAT WOULD VIOLATE A REQUIREMENT OF THE
35 CLEAN AIR ACT, THIS CHAPTER OR A RULE ADOPTED UNDER THIS CHAPTER, INCLUDING
36 THE NATIONAL AMBIENT AIR QUALITY STANDARDS. THIS SECTION DOES NOT AUTHORIZE
37 THE USE OF REDUCTIONS IN MOBILE SOURCE EMISSIONS FOR PURPOSES OF DETERMINING
38 THE APPLICABILITY OF NEW SOURCE REVIEW REQUIREMENTS.

39 Sec. 18. Section 49-501, Arizona Revised Statutes, is amended to read:
40 49-501. Unlawful open burning; exceptions; fine; definition

41 A. Notwithstanding the provisions of any other section of this
42 article: —

43 1. It is unlawful for any person to ignite, cause to be ignited,
44 permit to be ignited, or suffer, allow, or maintain any open outdoor fire
45 except as provided in this section.

1 2. FROM MAY 1 THROUGH SEPTEMBER 30 EACH YEAR, IT IS UNLAWFUL FOR ANY
2 PERSON TO IGNITE, CAUSE TO BE IGNITED, PERMIT TO BE IGNITED OR SUFFER, ALLOW
3 OR MAINTAIN ANY OPEN OUTDOOR FIRE IN AREA A AS DEFINED IN SECTION 49-541.

4 ~~E~~ B. The following fires are excepted from ~~the provisions of this~~
5 section:

6 1. Fires used only for cooking of food or for providing warmth for
7 human beings ~~or for recreational purposes~~ or the branding of animals or the
8 use of orchard heaters for the purpose of frost protection in farming or
9 nursery operations.

10 2. Any fire set or permitted by any public officer in the performance
11 of official duty, if such fire is set or permission given for the purpose of
12 weed abatement, the prevention of a fire hazard, or instruction in the
13 methods of fighting fires.

14 3. Fires set by or permitted by the director of the department of
15 agriculture or county agricultural agents of the county for the purpose of
16 disease and pest prevention.

17 4. Fires set by or permitted by the federal government or any of its
18 departments, agencies or agents or the state or any of its agencies,
19 departments or political subdivisions for the purpose of watershed
20 rehabilitation or control through vegetative manipulation.

21 5. Fires permitted by any rule or regulation issued pursuant to this
22 article, by any conditional permit issued by a hearing board established
23 under this article or by any rule or conditional permit issued pursuant to
24 article 2 of this chapter when the department of environmental quality
25 pursuant to section 49-402 has assumed jurisdiction of the county in which
26 the fire is located.

27 6. Fires set for the disposal of dangerous materials where there is no
28 safe alternate method of disposal.

29 ~~E~~ C. Permission for the setting of any fire given by a public
30 officer in the performance of official duty under subsection ~~E~~ B, paragraph
31 2, 3 or 4 OF THIS SECTION shall be given in writing and a copy of the written
32 permission shall be transmitted immediately to the director OF ENVIRONMENTAL
33 QUALITY and the control officer of the county, district or region in which
34 such fire is allowed. The setting of any such fire shall be conducted in a
35 manner and at such time as approved by the control officer or the director OF
36 ENVIRONMENTAL QUALITY, unless doing so would defeat the purpose of the
37 exemption.

38 ~~E~~ D. Notwithstanding section 49-107, the director may delegate
39 authority for the issuance of open burning permits to a county, city, town or
40 fire district. A county, city, town or fire district that has been delegated
41 authority for the issuance of open burning permits may assign the issuance of
42 these permits to a private fire protection service provider that performs
43 fire protection services within that county, city, town or fire district.
44 Any private fire protection service provider that is authorized to issue open
45 burning permits pursuant to this subsection shall maintain a copy of all

1 currently effective permits issued including a means of contacting the person
2 authorized by the permit to set the fire in the event that an order to
3 extinguish the open burning is issued. Permits issued pursuant to this
4 subsection shall contain both of the following:

5 1. Conditions that limit the manner and time of setting the fire and
6 that are consistent with this section and rules adopted pursuant to this
7 section.

8 2. A provision that all burning be extinguished at the discretion of
9 the director or the director's authorized representative during periods of
10 inadequate atmospheric smoke dispersion, periods of excessive visibility
11 impairment that could adversely affect public safety or periods when smoke is
12 blown into populated areas so as to create a public nuisance.

13 ~~F.~~ E. The director may issue a general permit to allow persons
14 engaged in farming or ranching on forty acres or more in an unincorporated
15 area to burn household waste, as defined in section 49-701, that is generated
16 on site, if no household waste collection and disposal service is available.
17 The general permit shall include the following:

18 1. Conditions governing the method, manner and times for burning.

19 2. Limitation on materials which may be burned, including a
20 prohibition on burning of materials which generate noxious fumes.

21 3. A requirement that any person seeking coverage under the general
22 permit shall register with the director on a form prescribed by the director.
23 Upon receipt of a registration form, the director shall notify the county in
24 which the farm or ranch is located of such registration.

25 4. A statement that the director, a local air pollution control
26 officer, or any other public officer may order the extinguishment of burning
27 or may prohibit burning during periods of inadequate smoke dispersion
28 or excessive visibility impairment or at other times when public health or
29 safety could be adversely affected.

30 ~~G.~~ F. Nothing in this section is intended to permit any practice
31 which is a violation of any statute, ordinance, rule or regulation in a
32 county with a population in excess of one million two hundred thousand
33 persons. ~~according to the most recent United States decennial census.~~
34 NOTWITHSTANDING ANY OTHER LAW, SUCH A COUNTY SHALL PROHIBIT BY ORDINANCE THE
35 USE OF WOOD BURNING CHIMINEAS, OUTDOOR FIRE PITS AND SIMILAR OUTDOOR FIRES ON
36 THOSE DAYS FOR WHICH THE COUNTY HAS ISSUED A NO BURN DAY RESTRICTION.

37 ~~H.~~ G. A person who violates any provision of this section may be
38 served a notice of violation and be subject to the enforcement provisions of
39 this article to the same extent as a person violating any rule or regulation
40 adopted pursuant to this article, EXCEPT THAT A VIOLATION THAT LASTS NO MORE
41 THAN TWENTY-FOUR HOURS AND THAT IS THE FIRST VIOLATION COMMITTED BY THAT
42 PERSON IS SUBJECT TO A CIVIL PENALTY OF NO MORE THAN FIVE HUNDRED DOLLARS.

43 ~~I. Any violation of this section shall be punishable by a fine not to~~
44 ~~exceed twenty-five dollars.~~

1 B. H. FOR THE PURPOSES OF THIS SECTION, "open outdoor fire", ~~as used~~
2 ~~in this section,~~ means any combustion of combustible material of any type
3 outdoors, in the open where the products of combustion are not directed
4 through a flue. FOR THE PURPOSES OF THIS SUBSECTION, "flue", ~~as used in~~
5 ~~this subsection,~~ means any duct or passage for air, gases or the like, such
6 as a stack or chimney.

7 Sec. 19. Section 49-542, Arizona Revised Statutes, as amended by Laws
8 2007, chapter 171, section 5, is amended to read:

9 49-542. Emissions inspection program; powers and duties of
10 director; administration; periodic inspection;
11 minimum standards and rules; exceptions; definition

12 A. The director shall administer a comprehensive annual or biennial
13 emissions inspection program which shall require the inspection of vehicles
14 in this state pursuant to this article and applicable administrative rules.
15 Such inspection is required in area A and area B, for those vehicles owned by
16 a person who is subject to section 15-1444 or 15-1627 and for those vehicles
17 registered outside of area A or area B but used to commute to the driver's
18 principal place of employment located within area A or area B. Inspection in
19 other counties of the state shall commence upon application by a county board
20 of supervisors for participation in such inspection program, subject to
21 approval by the director. In all counties with a population of three hundred
22 fifty thousand or fewer persons according to the most recent United States
23 decennial census, except for the portion of counties that contain any portion
24 of area A, the director shall as conditions dictate provide for testing to
25 determine the effect of vehicle related pollution on ambient air quality in
26 all communities with a metropolitan area population of twenty thousand
27 persons or more according to the most recent United States decennial census.
28 If such testing detects the violation of state ambient air quality standards
29 by vehicle related pollution, the director shall forward a full report of
30 such violation to the president of the senate, the speaker of the house of
31 representatives and the governor.

32 B. The state's annual or biennial emissions inspection program shall
33 provide for vehicle inspections at official emissions inspection stations or
34 at fleet emissions inspection stations. Each inspection station in area A
35 shall employ at least one mechanic who is available during the station's
36 hours of operation to provide technical advice and assistance for persons who
37 fail the emissions test. The director may enter into agreements with the
38 department of transportation or with county assessors for the use of official
39 emissions inspection stations for the purpose of conducting vehicle
40 registrations. An official or fleet emissions inspection station permit
41 shall not be sold, assigned, transferred, conveyed or removed to another
42 location except on such terms and conditions as the director may prescribe.

43 C. Vehicles required to be inspected and registered in this state,
44 except those provided for in section 49-546, shall be inspected, for the
45 purpose of complying with the registration or reregistration requirement

1 pursuant to subsection D of this section, in accordance with the provisions
2 of this article no more than ninety days prior to each reregistration
3 expiration date. A vehicle may be submitted voluntarily for inspection more
4 than ninety days before the reregistration expiration date on payment of the
5 prescribed inspection fee. Such voluntary inspection shall not be considered
6 as compliance with the registration or reregistration requirement pursuant to
7 subsection D of this section.

8 D. A vehicle shall not be registered or reregistered until such
9 vehicle has passed the emissions inspection, ~~and~~ the tampering inspection
10 prescribed in subsection G of this section AND THE LIQUID FUEL LEAK
11 INSPECTION PRESCRIBED IN SUBSECTION Z OF THIS SECTION or has been issued a
12 certificate of waiver. A certificate of waiver shall only be issued one time
13 to a vehicle after January 1, 1997. If any vehicle to be registered or
14 reregistered is being sold by a dealer licensed to sell motor vehicles
15 pursuant to title 28, the cost of any inspection and any repairs necessary to
16 pass the inspection shall be borne by the dealer. A dealer who is licensed
17 to sell motor vehicles pursuant to title 28 and whose place of business is
18 located in area A or area B shall not deliver any vehicle to the retail
19 purchaser until the vehicle passes any inspection required by this article or
20 the vehicle is exempt under subsection J of this section.

21 E. On the registration or reregistration of a vehicle which has
22 complied with the minimum emissions standards pursuant to this section or is
23 otherwise exempt under this section, the registering officer shall issue an
24 air quality compliance sticker to the registered owner which shall be placed
25 on the vehicle as prescribed by rule adopted by the department of
26 transportation or issue a modified year validating tab as prescribed by rule
27 adopted by the department of transportation. Those persons who reside
28 outside of area A or area B but who elect to test their vehicle or are
29 required to test their vehicle pursuant to this section and who comply with
30 the minimum emissions standards pursuant to this section or are otherwise
31 exempt under this section shall remit a compliance form, as prescribed by the
32 department of transportation, and proof of compliance issued at an official
33 emissions inspection station to the department of transportation along with
34 the appropriate fees. The department of transportation shall then issue the
35 person an air quality compliance sticker which shall be placed on the vehicle
36 as prescribed by rule adopted by the department of transportation. The
37 registering officer or the department of transportation shall collect an air
38 quality compliance fee of twenty-five cents. The registering officer or the
39 department of transportation shall deposit, pursuant to sections 35-146 and
40 35-147, the air quality compliance fee in the state highway fund established
41 by section 28-6991. The department of transportation shall deposit, pursuant
42 to sections 35-146 and 35-147, any emissions inspection fee in the emissions
43 inspection fund. The provisions of this subsection do not apply to those
44 vehicles registered pursuant to title 28, chapter 7, article 7 or 8, the sale
45 of vehicles between motor vehicle dealers or vehicles leased to a person

1 residing outside of area A or area B by a leasing company whose place of
2 business is in area A or area B.

3 F. The director shall adopt minimum emissions standards pursuant to
4 section 49-447 with which the various classes of vehicles shall be required
5 to comply as follows:

6 1. For the purpose of determining compliance with minimum emissions
7 standards in area B:

8 (a) A motor vehicle manufactured in or before the 1980 model year,
9 other than a diesel powered vehicle, shall be required to take and pass the
10 curb idle test condition. A diesel powered vehicle is subject to only a
11 loaded test condition. The conditioning mode shall, at the option of the
12 vehicle owner or owner's agent, be administered only after the vehicle has
13 failed the curb idle test condition. Upon completion of such conditioning
14 mode, a vehicle that has failed the curb idle test condition may be retested
15 in the curb idle test condition. If the vehicle passes such retest, it shall
16 be deemed in compliance with minimum emissions standards unless the vehicle
17 fails the tampering inspection pursuant to subsection G of this section OR
18 THE LIQUID LEAK FUEL INSPECTION PURSUANT TO SUBSECTION Z OF THIS SECTION.

19 (b) A motor vehicle manufactured in or after the 1981 model year,
20 other than a diesel powered vehicle, shall be required to take and pass the
21 curb idle test condition and the loaded test condition or an onboard
22 diagnostic check as may be required pursuant to title II of the clean air
23 act.

24 2. For purposes of determining compliance with minimum emissions
25 standards and functional tests in area A:

26 (a) Motor vehicles manufactured in or after model year 1981 with a
27 gross vehicle weight rating of eighty-five hundred pounds or less, other than
28 diesel powered vehicles, shall be required to take and pass a transient
29 loaded emissions test or an onboard diagnostic check as may be required
30 pursuant to title II of the clean air act.

31 (b) Motor vehicles other than those prescribed by subdivision (a) of
32 this paragraph and other than diesel powered vehicles shall be required to
33 take and pass a steady state loaded test and a curb idle emissions test.

34 (c) A diesel powered motor vehicle applying for registration or
35 reregistration in area A shall be required to take and pass an annual
36 emissions test conducted at an official emissions inspection station or a
37 fleet emissions inspection station as follows:

38 (i) A loaded, transient or any other form of test as provided for in
39 rules adopted by the director for vehicles with a gross vehicle weight rating
40 of eight thousand five hundred pounds or less.

41 (ii) A test that conforms with the society for automotive engineers
42 standard J1667 for vehicles with a gross vehicle weight rating of more than
43 eight thousand five hundred pounds.

44 (d) Motor vehicles by specific class or model year shall be required
45 to take and pass any of the following tests:

- 1 (i) An evaporative system purge test.
2 (ii) An evaporative system integrity test.
3 (e) An onboard diagnostic check as may be required pursuant to title
4 II of the clean air act.
- 5 3. A motorcycle in area A or any constant four wheel drive vehicle
6 shall be required to take and pass a curb idle emissions test or an onboard
7 diagnostic check as required pursuant to title II of the clean air act.
- 8 4. Fleet operators in area B must comply with this section, except
9 that used vehicles sold by a motor vehicle dealer who is a fleet operator and
10 who has been issued a permit under section 49-546 shall be tested as follows:
11 (a) A motor vehicle manufactured in or before the 1980 model year
12 shall take and pass only the curb idle test condition, except that a diesel
13 powered vehicle is subject to only a loaded test condition.
14 (b) A motor vehicle manufactured in or after the 1981 model year shall
15 take and pass the curb idle test condition and a twenty-five hundred
16 revolutions per minute unloaded test condition.
- 17 5. Vehicles owned or operated by the United States, this state or a
18 political subdivision of this state shall comply with this subsection without
19 regard to whether those vehicles are required to be registered in this state,
20 except that alternative fuel vehicles of a school district that is located in
21 area A shall be required to take and pass the curb idle test condition and
22 the loaded test condition.
- 23 6. Fleet operators in area A shall comply with this section, except
24 that used vehicles sold by a motor vehicle dealer who is a fleet operator and
25 who has been issued a permit pursuant to section 49-546 for purposes of
26 determining compliance with minimum emission standards in area A shall be
27 tested as follows:
28 (a) A motor vehicle manufactured in or before the 1980 model year
29 shall take and pass the curb idle test condition, except that a diesel
30 powered vehicle is subject to only a loaded test condition.
31 (b) A motor vehicle manufactured in or after the 1981 model year shall
32 take and pass the curb idle test condition and a two thousand five hundred
33 revolutions per minute unloaded test condition.
- 34 7. Beginning on January 1, 2004 and except for any registered owner or
35 lessee of a fleet of less than twenty-five vehicles, a diesel powered motor
36 vehicle with a gross vehicle weight of more than twenty-six thousand pounds
37 and for which gross weight fees are paid pursuant to title 28, chapter 15,
38 article 2 in area A shall not be allowed to operate in area A unless it was
39 manufactured in or after the 1988 model year or is powered by an engine that
40 is certified to meet or surpass emissions standards contained in 40 Code of
41 Federal Regulations section 86.088-11. This paragraph does not apply to
42 vehicles that are registered pursuant to title 28, chapter 7, article 7 or 8.
- 43 8. Beginning on January 1, 2006 for any registered owner or lessee of
44 a fleet of less than twenty-five vehicles, a diesel powered motor vehicle
45 with a gross vehicle weight of more than twenty-six thousand pounds and for

1 which gross weight fees are paid pursuant to title 28, chapter 15, article 2
2 in area A shall not be allowed to operate in area A unless it was
3 manufactured in or after the 1988 model year or is powered by an engine that
4 is certified to meet or surpass emissions standards contained in 40 Code of
5 Federal Regulations section 86.088-11. This paragraph does not apply to
6 vehicles that are registered pursuant to title 28, chapter 7, article 7 or 8.

7 G. In addition to an emissions inspection, a vehicle is subject to a
8 tampering inspection on at least a biennial basis if the vehicle was
9 manufactured after the 1974 model year and the vehicle is not subject to a
10 transient loaded emissions test or an onboard diagnostic check as required
11 pursuant to title II of the clean air act. The director shall adopt vehicle
12 configuration guidelines for the tampering inspection which shall be based on
13 the original configuration of the vehicle when manufactured. The tampering
14 inspection shall consist of the following:

15 1. A visual check to determine the presence of properly installed
16 catalytic converters.

17 2. An examination to determine the presence of an operational air
18 pump.

19 3. In area A, if the vehicle was manufactured after the 1974 model
20 year and is not subject to a transient loaded emissions test or an onboard
21 diagnostic check as required pursuant to title II of the clean air act, a
22 visual inspection for the presence or malfunction of the positive crankcase
23 ventilation system and the evaporative control system.

24 H. Vehicles required to be inspected shall undergo a functional test
25 of the gas cap to determine if the cap holds pressure within limits
26 prescribed by the director, except for any vehicle that is subject to an
27 evaporative system integrity test.

28 I. Motor vehicles failing the initial or subsequent test are not
29 subject to a penalty fee for late registration renewal if the original
30 testing was accomplished before the expiration date and if the registration
31 renewal is received by the motor vehicle division or the county assessor
32 within thirty days of the original test.

33 J. The director may adopt rules for purposes of implementation,
34 administration, regulation and enforcement of the provisions of this article
35 including:

36 1. The submission of records relating to the emissions inspection of
37 vehicles inspected by another jurisdiction in accordance with another
38 inspection law and the acceptance of such inspection for compliance with the
39 provisions of this article.

40 2. The exemption from inspection of:

41 (a) A motor vehicle manufactured in or before the 1966 model year.

42 (b) New vehicles originally registered at the time of initial retail
43 sale and titling in this state pursuant to section 28-2153 or 28-2154.

44 (c) Vehicles registered pursuant to title 28, chapter 7, article 7
45 or 8.

- 1 (d) New vehicles before the sixth registration year after initial
2 purchase or lease.
- 3 (e) Vehicles which will not be available within the state during the
4 ninety days prior to registration.
- 5 (f) Golf carts.
- 6 (g) Electrically-powered vehicles.
- 7 (h) Vehicles with an engine displacement of less than ninety cubic
8 centimeters.
- 9 (i) The sale of vehicles between motor vehicle dealers.
- 10 (j) Vehicles leased to a person residing outside of area A or area B
11 by a leasing company whose place of business is in area A or area B.
- 12 (k) Collectible vehicles.
- 13 (l) Motorcycles in area B.
- 14 3. Compiling and maintaining records of emissions test results after
15 servicing.
- 16 4. A procedure which shall allow the vehicle service and repair
17 industry to compare the calibration accuracy of its emissions testing
18 equipment with the department's calibration standards.
- 19 5. Training requirements for automotive repair personnel using
20 emissions measuring equipment whose calibration accuracy has been compared
21 with the department's calibration standards.
- 22 6. Any other rule which may be required to accomplish the provisions
23 of this article.
- 24 K. The director shall, after consultation with automobile
25 manufacturers and the vehicle service and repair industry, establish by rule
26 a definition of "low emissions tune-up" for motor vehicles subject to
27 inspection under this article. The definition shall specify repair
28 procedures which, when implemented, will reduce vehicle emissions.
- 29 L. The director shall adopt rules which specify that the estimated
30 retail cost of all recommended maintenance and repairs shall not exceed the
31 amounts prescribed in this subsection, except that if a vehicle fails a
32 tampering inspection there is no limit on the cost of recommended maintenance
33 and repairs. The director shall issue a certificate of waiver for a vehicle
34 which has failed reinspection, if the director has determined that all
35 recommended maintenance and repairs have been performed. If, after
36 reinspection, the director has determined that the vehicle is in compliance
37 with minimum emissions standards or that all recommended maintenance and
38 repairs for compliance with minimum emissions standards have been performed,
39 but that tampering discovered at a tampering inspection has not been
40 repaired, the director may issue a certificate of waiver if the owner of the
41 vehicle provides to the director a written statement from an automobile parts
42 or repair business that an emissions control device which is necessary to
43 repair the tampering is not available and cannot be obtained from any usual
44 source of supply before the vehicle's current registration expires. Rules
45 adopted by the director for the purpose of establishing the estimated retail

1 cost of all recommended maintenance and repairs pursuant to this subsection
2 shall specify that:

3 1. In area A the cost shall not exceed:

4 (a) Five hundred dollars for a diesel powered vehicle with a gross
5 weight in excess of twenty-six thousand pounds.

6 (b) Five hundred dollars for a diesel powered vehicle with tandem
7 axles.

8 (c) For a vehicle other than a diesel powered vehicle with a gross
9 weight in excess of twenty-six thousand pounds and other than a diesel
10 powered vehicle with tandem axles:

11 (i) Two hundred dollars for such a vehicle manufactured in or before
12 the 1974 model year.

13 (ii) Three hundred dollars for such a vehicle manufactured in the 1975
14 through 1979 model years.

15 (iii) Four hundred fifty dollars for such a vehicle manufactured in or
16 after the 1980 model year.

17 2. In area B the cost shall not exceed:

18 (a) Three hundred dollars for a diesel powered vehicle with a gross
19 weight in excess of twenty-six thousand pounds.

20 (b) Three hundred dollars for a diesel powered vehicle with tandem
21 axles.

22 3. For a vehicle other than a diesel powered vehicle with a gross
23 weight in excess of twenty-six thousand pounds and other than a diesel
24 powered vehicle with tandem axles:

25 (a) Fifty dollars for such a vehicle manufactured in or before the
26 1974 model year.

27 (b) Two hundred dollars for such a vehicle manufactured in the 1975
28 through 1979 model years.

29 (c) Three hundred dollars for such a vehicle manufactured in or after
30 the 1980 model year.

31 M. Each person whose vehicle has failed an emissions inspection shall
32 be provided a list of those general recommended tune-up procedures for
33 vehicles which are designed to reduce vehicle emissions levels. The list
34 shall include the following notice: "This test is the result of federal law.
35 You may wish to contact your representative in the United States Congress."

36 N. Notwithstanding any other provisions of this article, the director
37 may adopt rules allowing exemptions from the requirement that all vehicles
38 must meet the minimum standards for registration or reregistration.

39 O. The director of environmental quality shall establish, in
40 cooperation with the assistant director for the motor vehicle division of the
41 department of transportation:

42 1. An adequate method for identifying bona fide residents residing
43 outside of area A or area B to ensure that such residents are exempt from
44 compliance with the inspection program established by this article and rules
45 adopted under this article.

1 2. A written notice that shall accompany the vehicle registration
2 application forms that are sent to vehicle owners pursuant to section 28-2151
3 and that shall accompany or be included as part of the vehicle emissions test
4 results that are provided to vehicle owners at the time of the vehicle
5 emissions test. This written notice shall describe at least the following:
6 (a) The restriction of the waiver program to one time per vehicle and
7 a brief description of the implications of this limit.
8 (b) The availability and a brief description of the vehicle repair and
9 retrofit program established pursuant to section 49-474.03.
10 (c) Notice that many vehicles carry extended warranties for vehicle
11 emissions systems, and those warranties are described in the vehicle's
12 owner's manual or other literature.
13 (d) A description of the catalytic converter replacement program
14 established pursuant to section 49-474.03.
15 P. Notwithstanding any other law, if area A or area B is reclassified
16 as an attainment area, emissions testing conducted pursuant to this article
17 shall continue for vehicles registered inside that reclassified area,
18 vehicles owned by a person who is subject to section 15-1444 or 15-1627 and
19 vehicles registered outside of that reclassified area but used to commute to
20 the driver's principal place of employment located within that reclassified
21 area.
22 Q. A fleet operator who is issued a permit pursuant to section 49-546
23 may electronically transmit emissions inspection data to the department of
24 transportation pursuant to rules adopted by the director of the department of
25 transportation in consultation with the director of environmental quality.
26 R. The director shall prohibit a certificate of waiver pursuant to
27 subsection L of this section for any vehicle which has failed inspection in
28 area A due to the catalytic converter system.
29 S. The director shall establish provisions for rapid testing of
30 certain vehicles and to allow fleet operators, singly or in combination, to
31 contract directly for vehicle emissions testing.
32 T. Each vehicle emissions control station in area A shall have a sign
33 posted to be visible to persons who are having their vehicles tested. This
34 sign shall state that enhanced testing procedures are a direct result of
35 federal law.
36 U. The initial adoption of rules pursuant to this section shall be
37 deemed emergency rules pursuant to section 41-1026.
38 V. The director of environmental quality and the director of the
39 department of transportation shall implement a system to exchange information
40 relating to the waiver program, including information relating to vehicle
41 emissions test results and vehicle registration information.
42 W. Any person who sells a vehicle that has been issued a certificate
43 of waiver pursuant to this section after January 1, 1997 and who knows that a
44 certificate of waiver has been issued after January 1, 1997 for that vehicle

1 shall disclose to the buyer before completion of the sale that a certificate
2 of waiver has been issued for that vehicle.

3 X. Vehicles that fail the emissions test at emission levels higher
4 than twice the standard established for that vehicle class by the department
5 pursuant to section 49-447 are not eligible for a certificate of waiver
6 pursuant to this section unless the vehicle is repaired sufficiently to
7 achieve an emissions level below twice the standard for that class of
8 vehicle.

9 Y. If an insurer notifies the department of transportation of the
10 cancellation or nonrenewal of collectible vehicle or classic automobile
11 insurance coverage for a collectible vehicle, the department of
12 transportation shall cancel the registration of the vehicle and the vehicle's
13 exemption from emissions testing pursuant to this section unless evidence of
14 coverage is presented to the department of transportation within sixty days.

15 Z. IN ADDITION TO AN EMISSIONS INSPECTION, A VEHICLE IS SUBJECT TO A
16 LIQUID FUEL LEAK INSPECTION ON AT LEAST A BIENNIAL BASIS IF THE VEHICLE WAS
17 MANUFACTURED AFTER THE 1974 MODEL YEAR AND IS NOT A DIESEL VEHICLE. THE
18 DIRECTOR SHALL ADOPT RULES PRESCRIBING PROCEDURES AND STANDARDS FOR THE
19 LIQUID FUEL LEAK INSPECTION.

20 ~~Z-~~ AA. For the purposes of this section, "collectible vehicle" means
21 a vehicle that complies with both of the following:

22 1. Either:

23 (a) Bears a model year date of original manufacture that is at least
24 fifteen years old.

25 (b) Is of unique or rare design, of limited production and an object
26 of curiosity.

27 2. Meets both of the following criteria:

28 (a) Is maintained primarily for use in car club activities,
29 exhibitions, parades or other functions of public interest or for a private
30 collection and is used only infrequently for other purposes.

31 (b) Has a collectible vehicle or classic automobile insurance coverage
32 that restricts the collectible vehicle mileage or use, or both, and requires
33 the owner to have another vehicle for personal use.

34 Sec. 20. Interim rule making; publication

35 Notwithstanding title 41, chapter 6, article 3, Arizona Revised
36 Statutes, the best management practices committee for regulated agricultural
37 activities established under section 49-457, Arizona Revised Statutes, shall
38 adopt the rules required by section 49-457, Arizona Revised Statutes, as
39 amended by this act, as interim rules with an immediate effective date in
40 compliance with section 41-1032, Arizona Revised Statutes, in order to comply
41 with the December 31, 2007 deadline imposed by the United States
42 environmental protection agency for failure to attain the national ambient
43 air quality standard for PM-10 on or before December 31, 2006. The rules
44 shall have an immediate effective date. Interim rules are exempt from title
45 41, chapter 6, article 3, Arizona Revised Statutes, except that the committee

1 shall submit the rules for publication and the secretary of state shall
2 publish the rules in the Arizona administrative register.

3 Sec. 21. Construction contracts with public entities;
4 definition

5 A. If this state or an agency or political subdivision of this state
6 is party to a construction contract executed before enactment of this act,
7 the state, agency or political subdivision may agree to a contract amendment
8 to provide for supplemental payments to reimburse the contractor for costs
9 incurred solely and directly as a result of new dust control requirements
10 imposed under this act if the following conditions are satisfied:

11 1. The measures taken to comply with the new dust control requirements
12 were necessary and appropriate.

13 2. The measures taken to comply with the new dust control requirements
14 were not necessary or appropriate to comply with dust control requirements or
15 any other legal or contractual requirements in existence before enactment of
16 this act.

17 3. The contractor provides the state, agency or political subdivision
18 with complete documentation for the costs for which supplemental payment is
19 requested.

20 4. The contractor did not expressly or impliedly assume the risk that
21 additional costs would be incurred as a result of changes in dust control
22 requirements.

23 B. Any invitation to bid or request for proposals issued by this state
24 or an agency or political subdivision of this state for a construction
25 project in area A as defined in section 49-541, Arizona Revised Statutes,
26 shall require that the offer address compliance with all dust control
27 requirements applicable to the project.

28 C. For the purposes of this section, "political subdivision" means an
29 entity supported in whole or in part by tax revenues.

30 Sec. 22. Delayed repeal

31 Section 21 of this act, relating to public contracts and dust control
32 requirements, is repealed from and after September 30, 2009.

33 Sec. 23. City and county particulate enforcement; report; joint
34 legislative budget committee

35 A county and any city or town that is located in an area designated by
36 the environmental protection agency as a serious PM-10 nonattainment area or
37 a maintenance area that was designated as a serious PM-10 nonattainment area
38 shall submit reports on particulate enforcement to the joint legislative
39 budget committee on June 1 and December 1 in 2008 and 2009. The reports
40 shall include the following information for each county, city and town:

41 1. The number of notices of violation issued, fines or penalties
42 assessed or other sanctions imposed for particulate violations.

43 2. The number of inspectors or other enforcement personnel employed
44 for purposes of enforcing statutes, rules or ordinances related to
45 particulates.

- 1 3. The number of miles of streets, roads, alleys, shoulders and vacant
2 areas paved or otherwise stabilized.
- 3 4. Any other information relevant to enforcement of particulate
4 measures prescribed by this act.
- 5 Sec. 24. State air quality study committee; members; duties;
6 report
- 7 A. The state air quality study committee is established consisting of
8 the following members:
- 9 1. Five members of the senate who are appointed by the president of
10 the senate, not more than three of whom are members of the same political
11 party. The president of the senate shall designate one of these members to
12 serve as cochairperson of the committee.
- 13 2. Five members of the house of representatives who are appointed by
14 the speaker of the house of representatives, not more than three of whom are
15 members of the same political party. The speaker of the house of
16 representatives shall designate one of these members to serve as
17 cochairperson of the committee.
- 18 B. The purpose of the committee is to examine and make recommendations
19 for current and future compliance with primary national ambient air quality
20 standards in this state.
- 21 C. The committee shall:
- 22 1. Review the implementation and enforcement of the particulate matter
23 and ozone control measures for areas A and C prescribed in this act and
24 adopted by the Maricopa association of governments and Maricopa county for
25 area A. On request of the committee, the Maricopa association of governments
26 shall provide a summary of the five per cent PM-10 reduction plan submitted
27 to the United States environmental protection agency on or before December
28 31, 2007.
- 29 2. Examine the need to adopt additional particulate matter and ozone
30 control measures in areas A and C to ensure compliance with national ambient
31 air quality standards in areas A and C and any other federal requirements.
- 32 3. Review the different types of motor fuel standards required by law
33 in this state.
- 34 4. Examine the need to adjust the different types of motor fuel
35 standards in this state based on the following criteria:
- 36 (a) Current and future compliance with primary national ambient air
37 quality standards to protect public health.
- 38 (b) Effect on supply of motor fuel into this state.
- 39 (c) Effect on the price and costs of production and delivery of motor
40 fuel to consumers.
- 41 (d) Cost-effectiveness of motor fuel standard changes in comparison
42 with other types of control measures.
- 43 (e) Federal regulations on locally-specific motor fuel types.
- 44 5. Review the vehicle emission inspection requirements in this state
45 and examine the applicability of these requirements.

1 6. Review and examine other air quality control measures, as the
2 committee deems necessary, to ensure current and future compliance with
3 primary national ambient air quality standards to protect public health,
4 including vapor recovery system technologies and requirements.

5 7. Make any recommendations on review and examination of the subjects
6 prescribed in paragraphs 1 through 6 of this subsection.

7 8. Submit a report of its findings and recommendations to the
8 governor, the president of the senate and the speaker of the house of
9 representatives on or before December 31, 2009 and submit copies of these
10 reports to the secretary of state and the director of the Arizona state
11 library, archives and public records.

12 Sec. 25. Department of environmental quality; motor fuels
13 emissions studies; recommendations

14 A. The department of environmental quality shall evaluate the
15 coordinating research council study E-74b. The department of environmental
16 quality shall receive comments evaluating the coordinating research council
17 study E-74b from the department of weights and measures, any trade
18 organizations representing automobile manufacturers, ethanol producers and
19 marketers, petroleum refiners, suppliers, distributors and marketers, and
20 other interested parties.

21 B. The department of environmental quality and each of the entities
22 submitting comments pursuant to subsection A of this section shall consider
23 providing additional research and cooperating to design and conduct any
24 additional studies.

25 C. If funding is made available, and if the department of
26 environmental quality in consultation with each of the entities submitting
27 comments pursuant to subsection A of this section determines additional
28 research is necessary, the department of environmental quality, in
29 consultation with the department of weights and measures, shall develop and
30 implement research that would complement and incorporate the coordinating
31 research council study E-74b regarding Reid vapor pressure and oxygen content
32 effects on emissions of 1994 model year and newer light duty vehicles. The
33 research:

34 1. May include federal test procedure testing of a sufficient number
35 and variety of federal tier 1 and tier 2 standard vehicles to be
36 representative of the current in-use light duty vehicle fleet.

37 2. May include an emissions and air quality assessment of the impacts
38 of changing the area A wintertime Reid vapor pressure standard to comply with
39 American society for testing and materials Reid vapor pressure standards
40 applicable to area A, including the wintertime Reid vapor pressure waiver for
41 ethanol blends allowed by provisions of a waiver issued or other limits
42 established by the United States environmental protection agency.

43 3. May include an assessment of the emissions and air quality impacts
44 of requiring ten per cent ethanol in tandem with any change in Reid vapor
45 pressure, including an assessment of Reid vapor pressure being allowed to

1 rise with no ethanol content and an assessment of fuel containing greater
2 than twenty per cent ethanol content.

3 4. Notwithstanding the receipt of the coordinating research council
4 study E-74b, shall include:

5 (a) An assessment of costs of production and delivery of gasoline and
6 ethanol and an assessment of gasoline and ethanol supplies and logistics.

7 (b) A statewide assessment of increasing flexibility under state
8 standards for blending ethanol to include impacts on the environment, vehicle
9 performance and costs to consumers.

10 D. On or before February 15, 2008, the department of environmental
11 quality shall submit its evaluation of the coordinating research council
12 study E-74b and any comments received pursuant to subsection A of this
13 section to the governor, the president of the senate and the speaker of the
14 house of representatives for referral to the appropriate standing committees
15 of the senate and the house of representatives. The department shall submit
16 copies of the evaluation and comments to the secretary of state and the
17 director of the Arizona state library, archives and public records.

18 E. On or before September 1, 2008, the department of environmental
19 quality shall submit a report of all of the findings and recommendations made
20 pursuant to this section to the state air quality study committee established
21 by this act and shall submit copies of these reports to the secretary of
22 state and the director of the Arizona state library, archives and public
23 records.

24 Sec. 26. Delayed repeal

25 Section 24 of this act, relating to the state air quality study
26 committee, and section 25 of this act, relating to motor fuels emissions
27 studies, are repealed from and after December 31, 2009.

28 Sec. 27. Conditional enactment

29 A. Section 41-2083, Arizona Revised Statutes, as amended by Laws 2007,
30 chapter 145, section 2 and this act, is effective as prescribed in Laws 2005,
31 chapter 104, section 7, subsection A, as amended by Laws 2007, chapter 145,
32 section 4.

33 B. Section 41-2124.01, Arizona Revised Statutes, as amended by section
34 13 of this act, is not effective unless, on or before November 1, 2009, the
35 conditions specified in Laws 2005, chapter 104, section 7, subsection B, as
36 amended by Laws 2007, chapter 145, section 4, are satisfied.


HOUSE OF REPRESENTATIVES
 SB 1552
 air quality program
 Sponsors: Senator Allen, Huppenthal

DPA Committee on Environment

DPA Caucus and COW

X As Transmitted to the Governor

SB 1552 makes various changes to statutes pertaining to air quality control.

History

The Clean Air Act (CAA) was established in 1990 to address the nation's problems with air pollutants. Through the CAA, the Environmental Protection Agency (EPA) set primary and secondary standards for the amounts of any pollutant that can be in the air anywhere in the United States. Currently, there are six criteria pollutants included in the National Ambient Air Quality Standards (NAAQS): carbon monoxide (CO), nitrogen dioxide (NO_x), particulate matter (PM-10 and PM-2.5), ozone, sulfur dioxide (SO₂), and lead (PB).

On December 31, 2006, a large portion of Maricopa County and the Apache Junction portion of Area A failed to reach attainment of the federal PM-10 health standards. The Maricopa Association of Governments (MAG), which is the designated regional agency for air quality, is required to submit a State Implementation Plan (SIP) to the EPA by December 31, 2007 that includes measures to reduce PM-10 emissions over the next three years. As of May 23, 2007, MAG has suggested 55 measures to reduce PM-10 emissions. Potential implementing entities for the measures include state, local and county governments and the private sector. Some of the state measures include a Dust-Free Certification program; paving or stabilizing dirt roads, alleys and shoulders; and banning or discouraging use of leaf blowers on High Pollution Advisory Days (HPA).

Additionally, on April 15, 2004 the EPA designated Area A as nonattainment for the NAAQS for ozone; the Maricopa County nonattainment area is classified as basic and is required to reach attainment of the standard at all ozone monitors by June 15, 2009. MAG is also required to submit a SIP to the EPA by June 15, 2007 that demonstrates an approach to reducing the ozone level in the air and emissions of ozone precursors.

The Arizona Department of Environmental Quality estimates that the provisions contained in SB 1552 will reduce PM-10 emissions by 10,425 tons per year, VOC emissions by 12,243 tons per year and NO_x by 5,529 tons per year. According to MAG, the total reduction of PM-10 needed for attainment is 13,782 tons.

Area A – means greater Phoenix metropolitan area, a portion of Apache Junction and a portion of Yavapai County.

A county with a population of two million or more persons or any portion of a county within an area designated by the EPA as a serious PM-10 nonattainment area or a maintenance area that was designated as a serious PM-10 nonattainment area – Currently, this description means Maricopa County in its entirety and the Apache Junction portion of Area A.

Provisions

Unpaved Roads

- Requires a city or town in Area A and a county which contains any portion of Area A to develop and implement plans to stabilize unpaved roads, alleys and unpaved shoulders on targeted arterials by January 1, 2008.
- Specifies that the plans of a county which contains any portion of Area A must address the performance goals; the criteria for targeting the roads, alleys and shoulders; a schedule for implementation; funding options; and reporting requirements.

- Requires a city or town in Area A and a county which contains any portion of Area A to give priority to:
 1. Unpaved roads with more than 100 average daily trips; and
 2. Unpaved shoulders on arterial roads where vehicle use is evident or anticipated due to projected traffic volume.
- Allows counties to use petroleum based or non-petroleum based products in the maintenance and repair of unpaved roads, alleys and shoulders in any county where the control officer certifies that the emissions from such roads, alleys or shoulders may endanger compliance with the NAAQS.

Parking Areas

- Requires that no later than March 31, 2008, a city and town in Area A, Maricopa County and the Apache Junction portion of Area A, adopt or amend codes or ordinances and, no later than October 1, 2008, commence enforcement of those codes or ordinances as necessary to require dustproof paving methods for the following:
 1. Parking, maneuvering, ingress and egress areas at developments other than residential buildings with four or fewer units; and
 2. Parking, maneuvering, ingress and egress areas that are 3000 square feet or more in size at residential buildings with four or fewer units.

Vacant Lots

- Requires that no later than March 31, 2008, a city and town in Area A and a county which contains any portion of Area A, adopt or amend codes or ordinances as necessary to restrict vehicle parking and use on unpaved or unstabilized vacant lots.
- Requires that no later than March 31, 2008, Maricopa County and the Apache Junction portion of Area A, adopt rule provisions and enforce those rule provisions pertaining to the stabilization of disturbed surfaces of vacant lots no later than October 1, 2008.
- Stipulates that the county rules must include reasonable written notice to the property owner that the unpaved disturbed surface of a vacant lot is required to be stabilized and must also grant the county authority to enter the lot to stabilize the disturbed surface at the expense of the owner if it has not been stabilized by the day set for compliance.
- Specifies that vacant lots do not include any site that has been issued a county dust control permit.
- Defines *disturbed surface*.

Leaf Blowers

- Stipulates that beginning on March 31, 2008, employees or contractors of a city or town in Area A or a county which contains any portion of Area A (beginning on the general effective date) are prohibited from operating leaf blowers, except in vacuum mode, on high pollution advisory days.
- Prohibits employees or contractors of a city or town in Area A or a county which contains any portion of Area A from blowing landscape debris into public roadways at any time.
- Exempts any site that has been issued a county dust control permit.
- Requires a city and town in Area A to adopt, implement and enforce an ordinance by March 31, 2008 that bans the blowing of landscape debris into public roadways at any time by any person.
- Prohibits any person from blowing landscape debris into public roadways in Maricopa County and the Apache Junction portion of Area A after March 31, 2008.
- Requires that by March 31, 2008, a county that contains any portion of Area A, Maricopa County and the Apache Junction portion of Area A, to adopt, implement and enforce an ordinance that prohibits the operation of leaf blowers, except on surfaces that have been stabilized.

In Maricopa County and the Apache Junction portion of Area A:

- Requires any person operating a leaf blower for remuneration to successfully complete training approved by

the Arizona Department of Environmental Quality (ADEQ) on how to operate a leaf blower in a manner designed to minimize the generation of fugitive dust emissions at least every three years.

- Specifies that any person required to complete training must complete the initial training no later than December 31, 2008.
- Requires ADEQ to produce printed materials for persons who sell or rent equipment used for blowing landscape debris for the purpose of educating and informing the user of the equipment on the safe and efficient use of the equipment.
- Requires any person who rents or sells equipment that is used for blowing landscape debris to provide the buyer or renter of the equipment with the materials approved by ADEQ.

Street Sweepers

- Requires new or renewed contracts for street sweeping on city streets in a city or town in Area A and in a county which contains any portion of Area A, no later than March 31, 2008, to specify that the street sweepers meet the South Coast Air Quality Management rule pertaining to pick-up efficiency and PM-10 emissions.

Off-Highway Vehicles

- Requires a city and town in Area A to adopt, implement and enforce an ordinance that prohibits the operation of any vehicle, including an off-highway vehicle (OHV), an all-terrain vehicle (ATV) or an off-road recreation motor vehicle (ORRMV), on an unpaved surface that is not a public or private road, street or lawful easement and that is closed by the landowner.
- Prohibits a person from operating an OHV, an ATV or an ORRMV on an unpaved surface during any HPA by ADEQ for particulate matter.
- Exempts the operation of vehicles used in the normal course of business or the normal course of government operations.
- Clarifies that this does not prohibit or preempt the enforcement of any similar ordinance that is adopted by a city or town in Area A before March 31, 2008 for purposes of dust abatement.
- Prescribes a Class 3 misdemeanor for a violation of a city or town ordinance prohibiting OHVs on unpaved surfaces.
- Allows a judge to order a person to perform at least 8-24 hours of community restitution or to complete an approved OHV safety course, or both, in lieu of a fine.

The following provisions apply in Area A:

- Prohibits a person from operating an OHV, an ATV or an ORRMV, on an unpaved surface that is not a public or private road, street or lawful easement during any high pollution advisory day forecast by ADEQ.
- Provides exemptions for:
 1. An event that is intended for an OHV, an ATV or an ORRMV and that is endorsed, authorized, permitted or sponsored by a public agency, occurs on a designated route or area and includes dust abatement measures at all staging areas, parking areas and entrances;
 2. An event that occurs at a facility where an admission or use fee is charged and includes dust abatement measures;
 3. A closed course that is maintained with dust abatement measures;
 4. An OHV, an ATV or an ORRMV used in the normal course of business or government operations; or
 5. Golf carts that are used as part of a private or public golf course.
- Allows the control officer or other enforcement officer to issue citations and prescribes the following penalties:
 1. A warning for the first violation;
 2. A civil penalty of \$50 for the second violation;
 3. A civil penalty of \$100 for the third violation; and

4. A civil penalty of \$250 for the fourth or any subsequent violation.

In Maricopa County and the Apache Junction portion of Area A:

- Requires ADEQ to produce printed materials, make the material available on ADEQ's website and distribute the materials to persons who sell or rent OHVs, ATVs or ORRMVs.
- Specifies that the materials must be designed to educate and inform the user of the vehicle on methods for reducing the generation of dust and dust control ordinances and restrictions.
- Requires any person who rents or sells OHVs, ATVs or ORRMVs in the normal course of business, other than golf carts, to provide the buyer or renter of the vehicle printed materials that are approved by ADEQ.

Agricultural Best Management Practices

- Increases the number of agricultural Best Management Practices (BMPs) from one to two and requires that the BMPs be used to demonstrate compliance with the general permit no later than December 31, 2007.
- Requires the Director of the Agricultural Best Management Practices Committee (Committee) to submit the rule containing the two BMPs to the EPA no later than December 31, 2007.
- Specifies that the Committee adopt the rules as interim rules in order to comply with the December 2007 deadline imposed by the EPA for PM-10 compliance.
- Defines *regulated area* for the purposes of BMPs as Maricopa County.

Dust Control Training and Coordinators

The following provisions apply in Maricopa County and the Apache Junction portion of Area A:

- Requires that no later than January 1, 2008, the control officer develop and implement basic and comprehensive training programs for the suppression of PM-10 emissions from sources that are subject to a county dust control permit.
- Allows the county to adopt rules prescribing standards for training.
- Requires that by December 31, 2008 and at least once every three years thereafter, the following persons successfully complete *basic* dust control training:
 1. The site superintendent or other designated on-site representative of a county dust control permit holder if the site has *more than one acre* of disturbed surface; and
 2. Water truck and water pull drivers.
- Specifies that the requirements of site superintendents, water truck and water pull drivers do not apply to a permittee that has a single permit for multiple noncontiguous sites that are *one acre or less*.
- Specifies that no later than June 30, 2008, a site subject to a county dust control permit of *five acres or more* of disturbed surface area must have at least one trained dust control coordinator (coordinator) on site at all times during primary dust generating operations.
- Grants the coordinator full authority to ensure that dust control measures are implemented on site, including conducting inspections, deployment of dust suppression resources and modification or shutdown of activities as needed to control dust.
- Stipulates that the coordinator must be responsible for managing dust prevention and dust control on the site.
- Requires that at least once every three years, the coordinator successfully complete a *comprehensive* dust control class conducted or approved by the appropriate control officer and that the coordinator have a valid coordinator certification on site.
- States that the requirement to have a coordinator for any site *five acres or more* and the ability for the coordinator to have full authority lapse if all of the following apply:

1. The area of disturbed surface area is less than five acres;
 2. The previously disturbed areas are stabilized in accordance with the requirements of applicable rules; and
 3. The permittee provides notice of the acreage stabilized to the control officer.
- Stipulates that a permittee that has a single permit for multiple noncontiguous sites must have on sites *greater than one acre* of disturbed surface area at least one designated coordinator.

The following provisions apply in a designated PM-10 nonattainment area:

- Requires a subcontractor engaged in dust generating operations at a site that is subject to a county dust control permit to register with the control officer.
- Allows the control officer to establish and assess a fee for subcontractor registration.
- Requires that the subcontractor have the registration number readily accessible on site.

Voluntary Diesel Retrofit Program

- Requires a county with a population of more than 400,000 persons to operate and administer a voluntary diesel emissions retrofit program for the purpose of reducing particulate emissions from diesel equipment.
- Stipulates that the program must allow for extended hours of operation by a modification to an existing permit or provision in a new permit.
- Requires that the diesel retrofit demonstrate at least a 35 percent reduction in particulate pollution with no increase in the generation or emission of other regulated pollutants.

Covered Loads

- Exempts minor pieces of agricultural materials such as leaves and stems from agricultural loads and vehicles that drop sufficient sand for the purpose of securing traction or sprinkle water or another substance on a roadway to clean or maintain the roadway.
- Adds that the covered load requirements are for highway safety or air pollution prevention.

Open and Unlawful Burning

- Requires a county which contains any part of Area A, on or before October 31, 2007, to prescribe a no burn restriction for any HPA for particulate matter.
- Stipulates that a fourth or subsequent violation of the no burn restriction is a civil penalty of \$250.
- Prohibits any open outdoor fire in Area A, from May 1 through September 30 each year.
- Removes fires for recreational purposes from the exemptions of unlawful burning.
- Requires a county with a population in excess of 1.2 million persons to prohibit by ordinance the use of wood burning chimineas, outdoor fire pits and similar outdoor fires on those days for which the county has issued a No Burn Day Restriction.
- Increases the fine for open burning from \$25 to \$500 for the first violation.

Vehicle Emissions

- Adds the Liquid Fuel Leak Inspection to the Vehicle Emissions Inspection Program.
- Requires the Director of ADEQ to adopt rules prescribing procedures and standards for the Liquid Fuel Leak Inspection.

Area C

- Establishes Area C in western Pinal County and requires Area C to use clean burning gasoline (CBG) from May 31st to September 30th.
- Contains conditional enactments based on the EPA approving a revision to the SIP.

Construction Contracts with Public Entities

- Allows the state, an agency or political subdivision of this state that is party to a construction contract executed prior to the enactment of these air quality control measures to agree to a contract amendment to provide for supplement payments to reimburse the contractor for the costs incurred solely and directly as a result of new dust control standards.
- Requires that any invitation to bid or request for proposals for a construction project in Area A issued by this state, an agency or political subdivision of this state, address compliance with all dust control requirements applicable to the project.
- Includes a delayed repeal date of September 30, 2009.

Dust-Free Developments Program

- Requires ADEQ to develop the Dust-Free Developments Program (Program).
- Requires that the Program include a voluntary certification process based on criteria developed by ADEQ.
- Stipulates that any person or entity may apply for certification under the Program, and if approved, may lawfully use a certification, seal, logo or other similar indicator established by ADEQ for promotional, civic, public relations or public involvement purposes.
- Stipulates that the Program does not include a specific expiration date.

Reporting Requirements

- Requires any city, town and county located in a PM-10 nonattainment area to submit reports on particulate enforcement to the Joint Legislative Budget Committee (JLBC) on June 1 and December 1 of 2008 and 2009.
- Specifies that the reports must include the following information:
 1. The number of notices of violation issued, fines or penalties assessed or other sanctions imposed for particulate violations.
 2. The number of inspectors or other enforcement personnel employed for purposes of enforcing statutes, rules or ordinances related to particulates.
 3. The number of miles of streets, roads, alleys, shoulders and vacant areas paved or otherwise stabilized.
 4. Any other information relevant to the enforcement of particulate measures.

State Air Quality Study Committee

- Creates the State Air Quality Study Committee consisting of 10 legislators and states that its purpose is to examine and make recommendations for current and future compliance with primary NAAQS.
- Outlines the duties of the State Air Quality Study Committee which include submitting a report to the Legislature.
- Contains a delayed repeal date from and after December 31, 2009.

Motor Fuels Emissions Studies

- Requires ADEQ to evaluate the Coordinating Research Council study E-74b and to receive comments from the Department of Weights and Measures, any trade organizations representing automobile manufacturing, ethanol producers and marketers, petroleum refiners, suppliers, distributors and marketers, and other interested parties.
- Stipulates that ADEQ must consider providing additional research and cooperating to design and conduct any additional studies.
- Specifies that if funding is made available and it is determined that additional research is necessary, ADEQ must work with the Department of Weights and Measures to develop and implement research that would complement and incorporate the Coordinating Research Council study E-74b regarding Reid vapor pressure and oxygen content effects on emissions.
- Stipulates that ADEQ must submit its evaluation of the Coordinating Research Council study E-74b to the

Legislature by February 15, 2008.

- Requires that ADEQ submit a report of all of the findings and recommendations to the State Air Quality Study Committee by September 1, 2008.

Miscellaneous

- Adds that the work hours of municipal employees in a city or town with a population of 50,000 persons or more be adjusted in order to reduce ozone and particulate matter concentrations caused by vehicular travel.
- Stipulates that if the Director of ADEQ determines that progress or attainment will not be achieved in order to achieve or maintain NAAQS or other air quality standards applicable to ozone precursors, the county must adopt rules necessary to achieve progress or attainment.
- Requires emissions reductions for the 8-hour ozone standard be achieved by December 31, 2008.
- Makes technical and conforming changes.

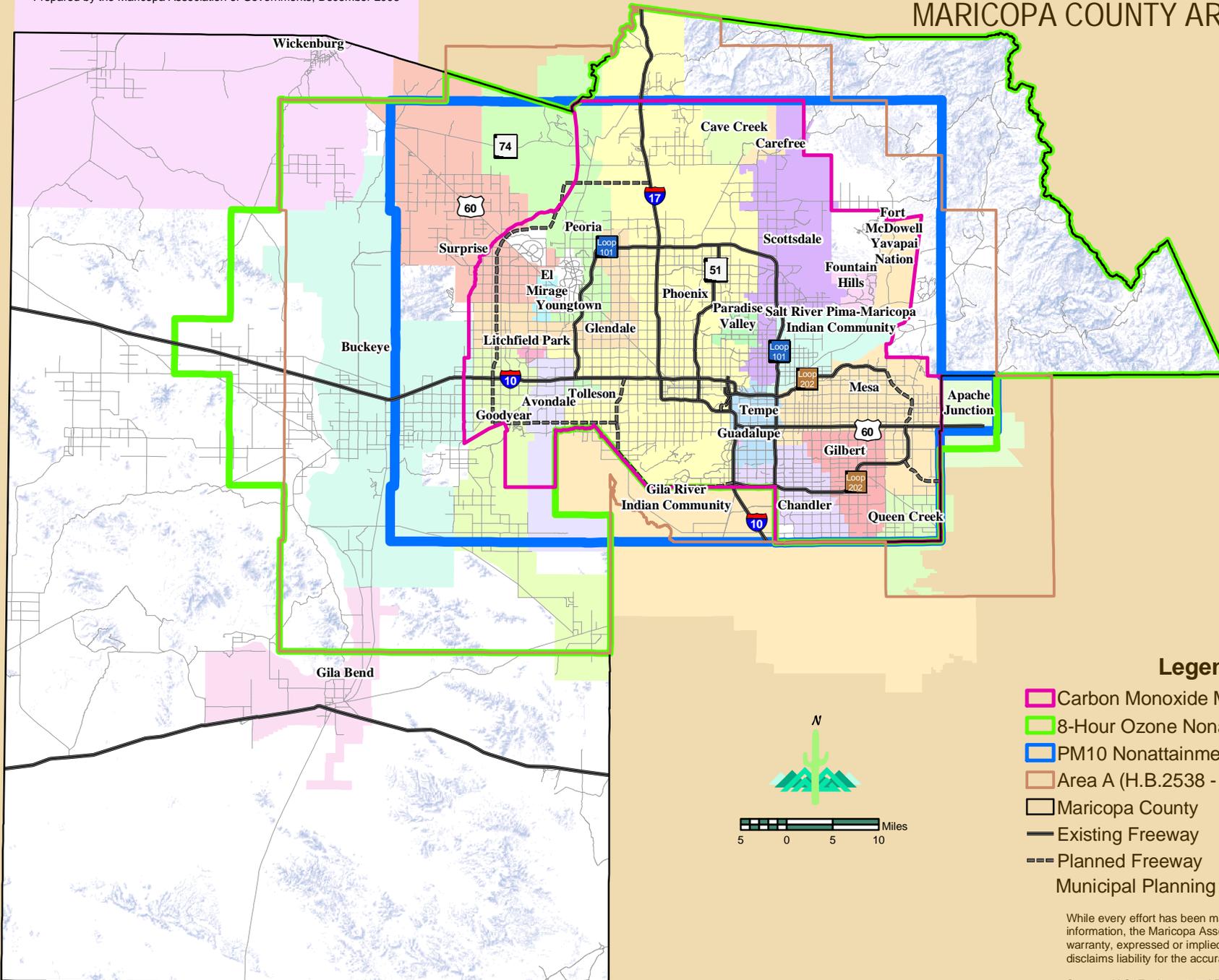
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Forty-eighth Legislature

First Regular Session 2 June 27, 2007

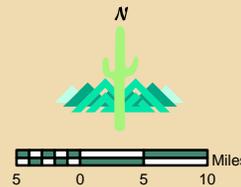
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AIR QUALITY NONATTAINMENT AND MAINTENANCE AREAS FOR THE MARICOPA COUNTY AREA, ARIZONA



Legend

-  Carbon Monoxide Maintenance Area
-  8-Hour Ozone Nonattainment Area
-  PM10 Nonattainment Area
-  Area A (H.B.2538 - 2001)
-  Maricopa County
-  Existing Freeway
-  Planned Freeway
- Municipal Planning Areas shaded



While every effort has been made to ensure the accuracy of this information, the Maricopa Association of Governments makes no warranty, expressed or implied, as to its accuracy and expressly disclaims liability for the accuracy thereof.

FACT SHEET
PROPOSAL TO REVISE THE NATIONAL AMBIENT AIR QUALITY STANDARDS
FOR OZONE

ACTION

- On June 20, 2007, EPA proposed to strengthen the national ambient air quality standards for ground-level ozone, the primary component of smog. The proposed revisions reflect new scientific evidence about ozone and its effects on people and public welfare.
- Breathing air containing ozone can reduce lung function, thereby aggravating asthma or other respiratory conditions. Ozone exposure has also been associated with increases in respiratory infection susceptibility, medicine use by asthmatics, doctors' visits, emergency department visits and hospital admissions. Ozone exposure also may contribute to premature death in people with heart and lung disease.
- Scientific evidence indicates that adverse public health effects occurs following exposure to ozone at levels below the current standard, particularly in those with respiratory illnesses.
- In addition, new scientific evidence since the last review shows that repeated exposure to low levels of ozone damages vegetation, trees and crops leading to increased susceptibility to disease, damaged foliage, and reduced crop yields.
- EPA's proposal would revise both ozone standards: the *primary* standard, designed to protect human health; and the *secondary* standard, designed to protect welfare (such as vegetation and crops). The existing primary and secondary standards, set in 1997, are identical: an 8-hour standard of 0.08 parts per million (ppm). (In practice, because of rounding, an area meets the standard if ozone levels are 0.084 ppm or lower.)

Proposed revisions to the primary standard

- EPA proposes to set the primary (health) standard to a level within the range of 0.070-0.075 ppm (70 -75 ppb). The Agency also requests comments on alternative levels of the 8-hour primary ozone standard, within a range from 0.060 ppm up to and including retention of the current standard (0.084 ppm). (EPA also proposes to specify the level of the primary standard to the third decimal place, because today's monitors can detect ozone that accurately.)

Proposed revisions to the secondary standard

- EPA is proposing two options for the secondary standard:
 - One option would establish a new form of standard designed specifically to protect sensitive plants from damage caused by repeated ozone exposure throughout the growing season. This cumulative standard would add daily ozone concentrations across a three-month period. EPA is proposing to set the level of the cumulative standard within the range of 7 to 21 ppm-hours.

- The other option would follow the current practice of making the secondary standard identical to the proposed primary 8-hour standard.
- EPA will take public comment for 90 days following publication of the proposal in the Federal Register. The agency also will hold four public hearings on the proposal in: Los Angeles and Philadelphia on Aug. 30, and Chicago and Houston on Sept. 5.
- EPA will issue final standards by March 12, 2008.

OZONE AND PUBLIC HEALTH

- Exposures to ozone can:
 - Reduce lung function, making it more difficult for people to breathe as deeply and vigorously as normal,
 - Irritate the airways, causing coughing, sore or scratchy throat, pain when taking a deep breath and shortness of breath,
 - Increase frequency of asthma attacks,
 - Inflammate and damage the lining of the lung,
 - Increase susceptibility to respiratory infection, and
 - Aggravate chronic lung diseases such as asthma, emphysema and bronchitis.
- In some people, these effects can lead to:
 - Increased medicine use among asthmatics,
 - More frequent doctors visits,
 - School absences, and
 - Increased emergency room visits and hospital admissions.
- Ozone may continue to cause lung damage even when the symptoms have disappeared.
- Breathing ozone may contribute to premature death in people with heart and lung disease.

OZONE AND THE ENVIRONMENT

- Ground-level ozone can have harmful effects on plants and ecosystems. When sufficient ozone enters the leaves of a plant, it can:
 - Interfere with the ability of sensitive plants to produce and store food, making them more susceptible to certain diseases, insects, other pollutants, competition and harsh weather.
 - Visibly damage the leaves of trees and other plants, harming the appearance of urban vegetation, national parks, and recreation areas.
 - Reduce forest growth and crop yields.

DETERMINING COMPLIANCE: THE FORM OF THE STANDARDS

- When EPA sets air quality standards, it also must specify the measurement unit, or “form” of each standard, that the Agency will use to determine whether an area is meeting the standards.
- For the primary ozone standard, an area meets the standard if the three-year average of the annual fourth-highest reading at a particular monitor is less than or equal to the level of the standard.
- EPA is proposing a new and distinct form for the secondary standard. The form, called W126, is designed to account for the cumulative effects of ozone on vegetation during the three months of the year when ozone concentrations are highest. The form focuses on the highest exposure during the growing season.
- If EPA finalizes the W126 option, an area would meet the secondary standard if the W126 value is less than or equal to the level of the standard. If the agency finalizes the section option proposed, compliance with the secondary standard would be based on compliance with the primary 8-hour standard.

BENEFITS AND COSTS

- While the Clean Air Act prohibits EPA from considering costs in setting or revising National Ambient Air Quality Standards, the Agency analyzes the benefits and costs of meeting the standards in order to provide states and other stakeholders with the information necessary to assess the implications of meeting alternative standards. The analysis, which is required by Executive Order 12866, is based on guidance from the White House Office of Management and Budget. These analyses of benefits and costs will be detailed in a Regulatory Impact Analysis to be released in the next few weeks.
- To estimate the benefits of meeting a standard, EPA utilizes a sophisticated peer-reviewed approach to modeling the relationship between air quality and health and welfare effects, the air quality impacts of implementing future control technologies, and the dollar values of public health improvements.
- To estimate the costs of meeting a standard, EPA uses several peer-reviewed approaches for modeling the cost of using both existing controls and controls that may be developed in the future for reducing NO_x and VOCs .

ESTIMATED TIMELINE FOR IMPLEMENTING THE PROPOSED STANDARDS

- EPA will issue final standards by March 12, 2008. Based on that date, EPA estimates the following implementation schedule:
 - *By June 2009:* States make recommendations for areas to be designated attainment and nonattainment.
 - *By June 2010:* EPA makes final designations of attainment and nonattainment areas. Those designations would become effective 60 days after publication in the Federal Register.
 - *2013:* State Implementation Plans, outlining how states will reduce pollution to meet the standards, are due to EPA (three years after designations).
 - *2013 to 2030:* States are required to meet the standard, with deadlines depending on the severity of the problem.

WHAT IS OZONE?

- Ozone is found in two regions of the Earth's atmosphere – at ground level and in the upper regions of the atmosphere. Both types of ozone have the same chemical composition (O₃). While upper atmospheric ozone forms a protective layer from the sun's harmful rays, ground level ozone is the primary component of smog.
- Ground-level ozone is not emitted directly into the air, but forms through a reaction of nitrogen oxides (NO_x) and volatile organic compounds (VOCs) in the presence of sunlight.
- Emissions from industrial facilities and electric utilities, motor vehicle exhaust, gasoline vapors, and chemical solvents are the major man-made sources of NO_x and VOCs.
- Because sunlight and hot weather accelerate its formation, ozone is mainly a summertime air pollutant. Both urban and rural areas can have high ozone levels, often due to transport of ozone or its precursors (NO_x and VOCs) from hundreds of miles away.

BACKGROUND ON THE NATIONAL AIR QUALITY STANDARDS FOR OZONE

- The Clean Air Act requires EPA to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. National standards exist for six pollutants: ozone, particulate matter, nitrogen oxides, carbon monoxide, sulfur dioxide, and lead.

- The law also requires EPA to periodically review the standards and their scientific basis to determine whether revisions are appropriate.
- EPA last updated the ozone standards in 1997. The decision to revise the standards was challenged in court by a number of parties and ultimately reached the U.S. Supreme Court. The Court unanimously upheld the constitutionality of the 1970 Clean Air Act provision that authorizes EPA to set NAAQS to protect public health and welfare. The Court also affirmed that the Clean Air Act requires EPA to set ambient air quality standards, at levels necessary to protect the public health and welfare, without considering the economic costs of implementing the standards.

HOW TO COMMENT

- EPA will accept public comments for 90 days after the proposed revisions to the ozone standards are published in the Federal Register.
- Comments should be identified by Docket ID No. EPA-HQ-OAR-2005 -0172 and submitted by one of the following methods:
 - Federal eRulemaking Portal (<http://www.regulations.gov>),
 - e-mail (a-and-r-docket@epa.gov),
 - Mail (EPA Docket Center, Environmental Protection Agency, Mail code 6102T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460), or
 - Hand delivery (EPA Docket Center, Environmental Protection Agency, Room 3334, 1301 Constitution Avenue, NW, Washington, DC).

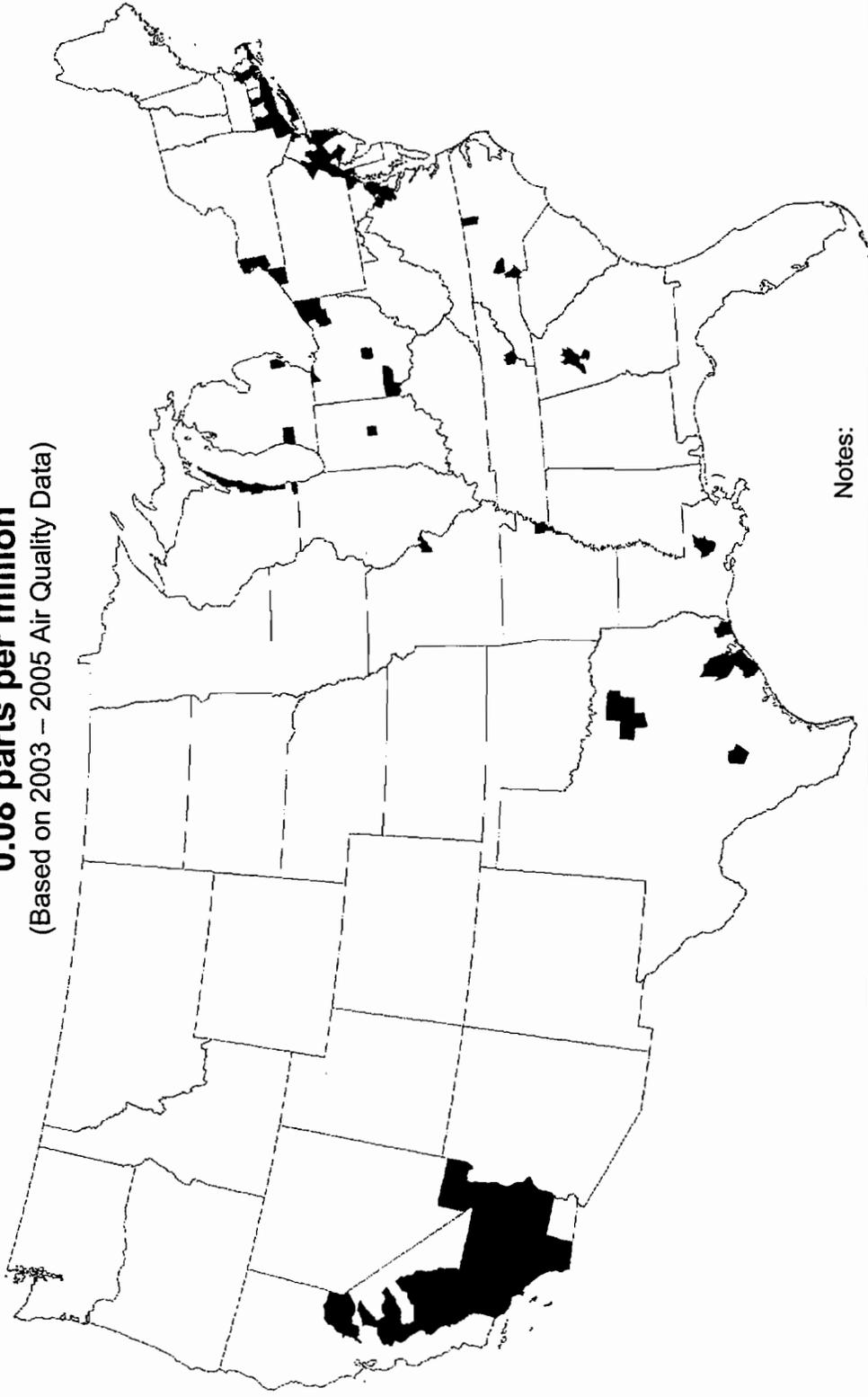
FOR MORE INFORMATION

- To download the Federal Register notice about the proposed revisions to the ozone standards, visit www.epa.gov/groundlevelozone.
- Today's proposal and other background information are also available either electronically at <http://www.regulations.gov>, EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
 - The Public Reading Room is located in the EPA Headquarters Library, Room Number 3334 in the EPA West Building, located at 1301 Constitution Ave., NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding federal holidays.
 - Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
 - Materials for this action can be accessed using Docket ID No. EPA-HQ-OAR- 2005-0172.

MAPS



Counties With Monitors Violating the Current Primary 8-hour Ozone Standard 0.08 parts per million (Based on 2003 – 2005 Air Quality Data)



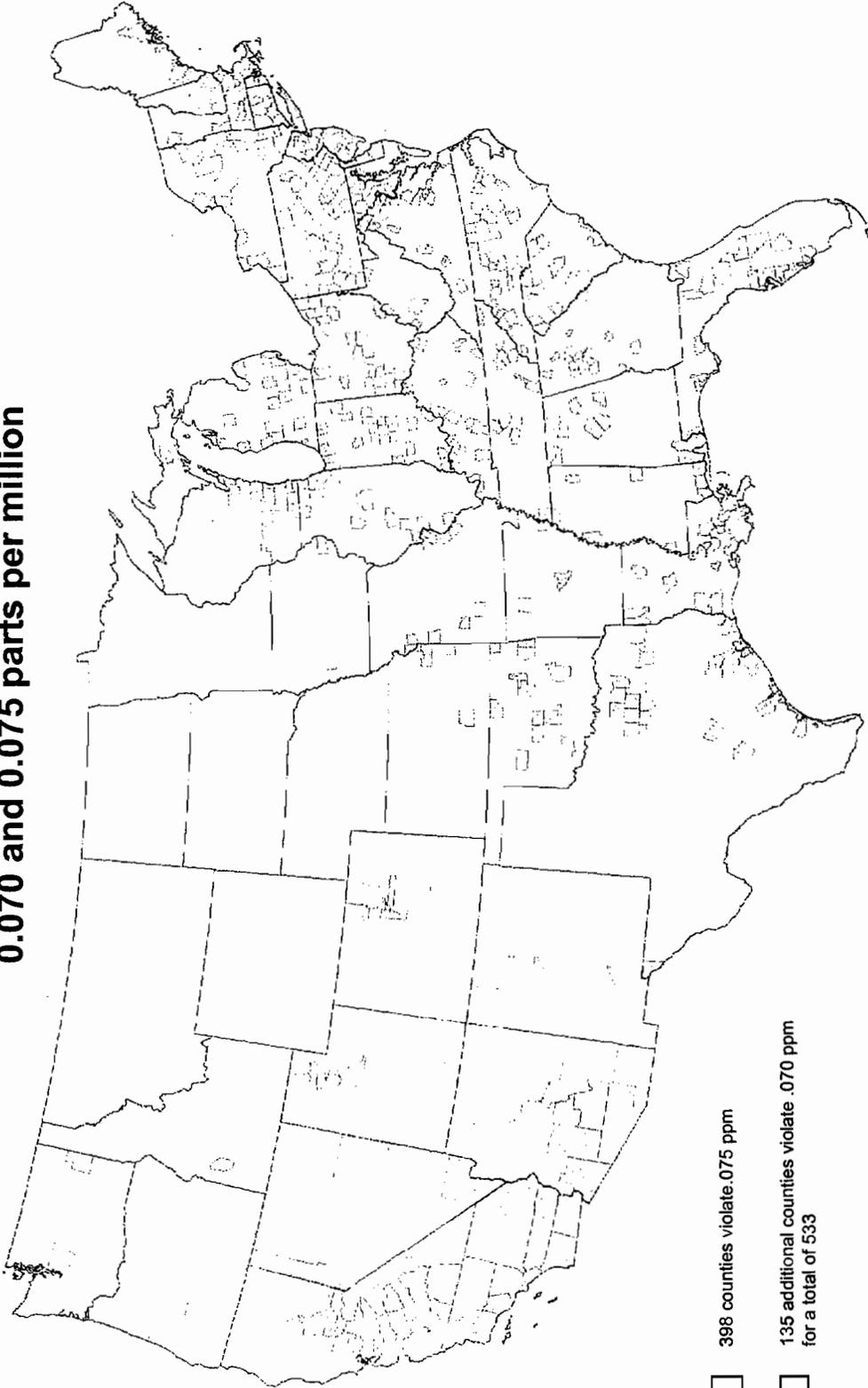
Notes:

- ¹ 104 of 639 monitored counties violate.
- ² No monitored counties outside the continental U.S. violate.
- ³ Monitored data can be obtained from the AQS system at <http://www.epa.gov/ttn/airs/airsaqs/>
- ⁴ The current standard of 0.08 ppm is effectively expressed as 0.084 ppm when rounding conventions are applied.



Estimates are based on the most recent data (2003 - 2005). EPA will not designate areas as nonattainment on these data, but likely on 2006 - 2008 data which we expect to show improved air quality.

Counties With Monitors Violating Alternate 8-hour Ozone Standards 0.070 and 0.075 parts per million



Notes:

¹ 398 of 639 monitored counties violate 0.075,
533 of 639 monitored counties violate 0.070.

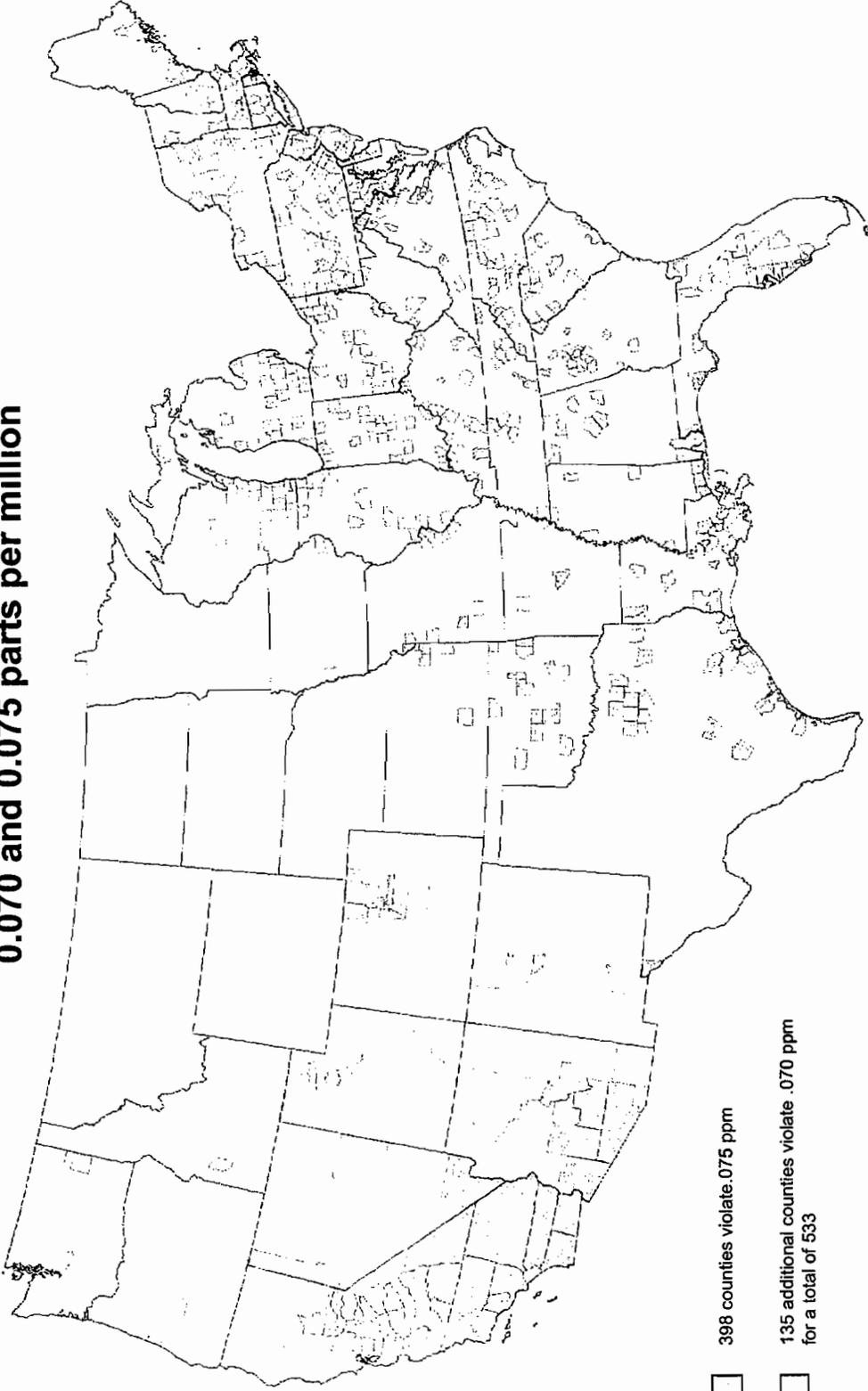
³ Monitored data can be obtained from the AQS system at
<http://www.epa.gov/ttn/airs/airsags/>

² No monitored counties outside the continental U.S. violate.



Estimates are based on the most recent data (2003 - 2005). EPA will not designate areas as nonattainment on these data, but likely on 2006 - 2008 data which we expect to show improved air quality.

Counties With Monitors Violating Alternate 8-hour Ozone Standards 0.070 and 0.075 parts per million



398 counties violate 0.075 ppm

135 additional counties violate 0.070 ppm
for a total of 533

Notes:

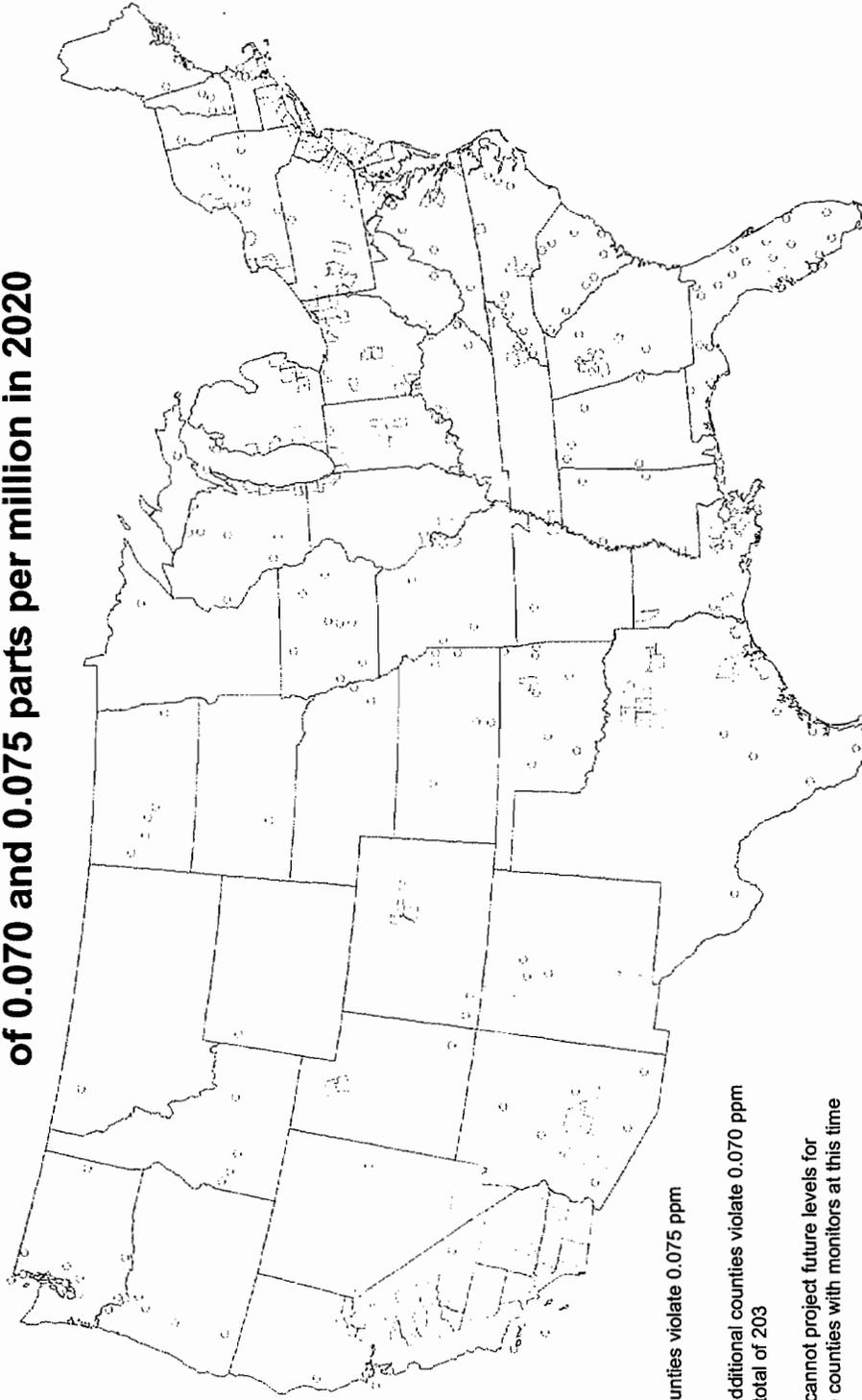
¹ 398 of 639 monitored counties violate 0.075,
533 of 639 monitored counties violate 0.070.

² No monitored counties outside the continental U.S. violate.

³ Monitored data can be obtained from the AQS system at
<http://www.epa.gov/ttn/airs/airsaqs/>



Counties With Monitors Projected to Violate Alternate 8-hour Ozone Standards of 0.070 and 0.075 parts per million in 2020



82 counties violate 0.075 ppm

121 additional counties violate 0.070 ppm for a total of 203

EPA cannot project future levels for these counties with monitors at this time

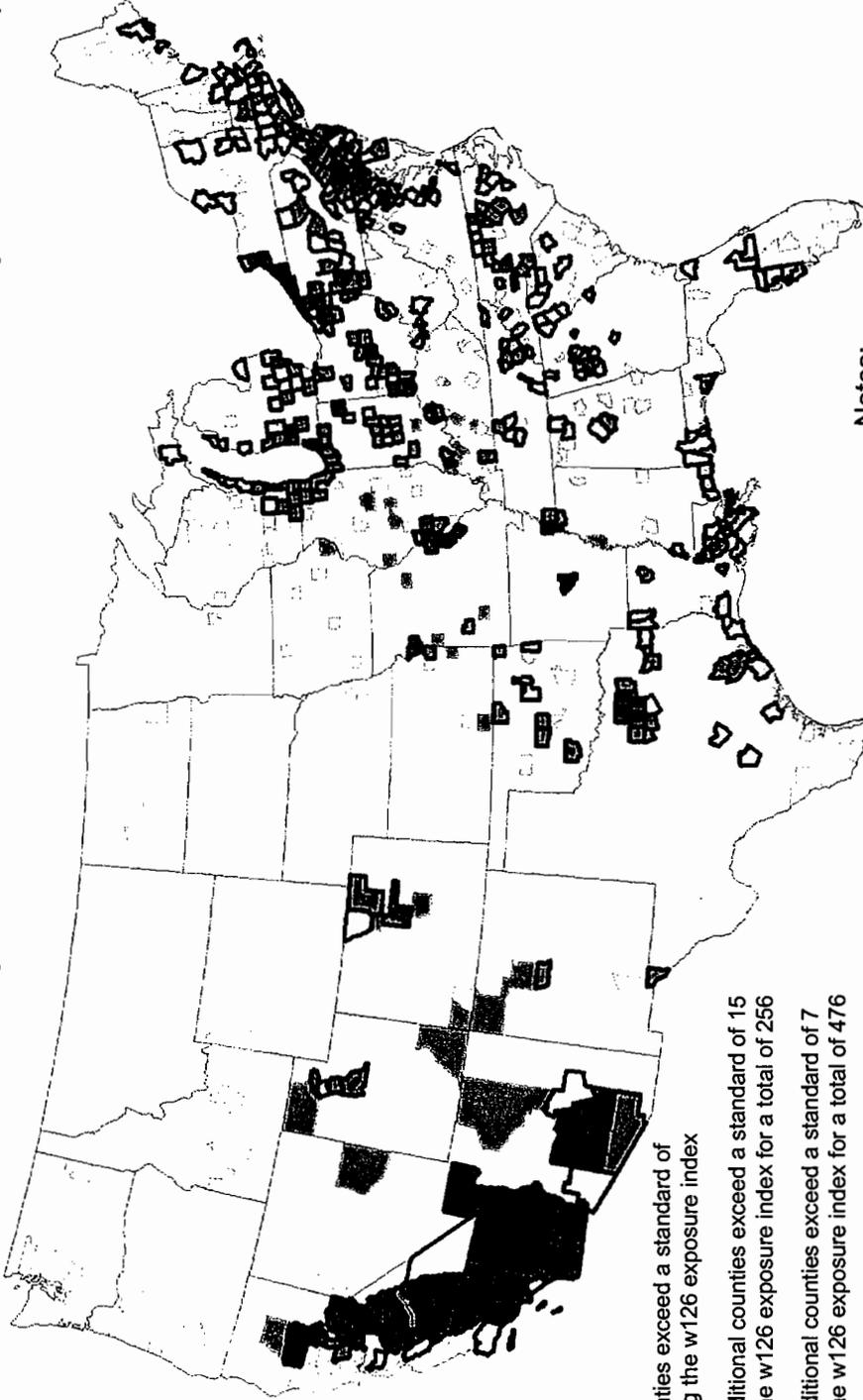
Notes:

- ¹ Modeled emissions reflect the expected reductions from federal programs including the Clean Air Interstate Rule, the Clean Air Mercury Rule, the Clean Air Visibility Rule, the Clean Air Nonroad Diesel Rule, the Light-Duty Vehicle Tier 2 Rule, the Heavy Duty Diesel Rule, proposed rules for Locomotive and Marine Vessels and for Small Spark-Ignition Engines, and state and local level mobile and stationary source controls identified for additional reductions in emissions for the purpose of attaining the current PM 2.5 and Ozone standards.
- ² Controls applied are illustrative. States may choose to apply different control strategies for implementation.
- ³ Modeled design values in ppm are only interpreted up to 3 decimal places.
- ⁴ Consistent with current modeling guidance, EPA did not project 2020 concentrations for counties where 2001 base year concentrations were less than recommended criterion. Such projections may not represent expected future levels. These counties are shown on the map with a grey dot.



Status of Counties with Monitors – Proposed Alternative w126 Index Secondary Standard and 8-hour 0.075 Ozone Primary Standard

(Based on 2005 Air Quality Data for the w126 and 2003-2005 Air Quality Data for 0.075)



-  72 counties exceed a standard of 21 using the w126 exposure index
-  184 additional counties exceed a standard of 15 using the w126 exposure index for a total of 256
-  220 additional counties exceed a standard of 7 using the w126 exposure index for a total of 476
-  79 counties meet a standard of 7 using the w126 exposure index for a total of 555
-  Outlined in heavy black are the 398 counties that exceed the 0.075 alternate 8-hr primary standard

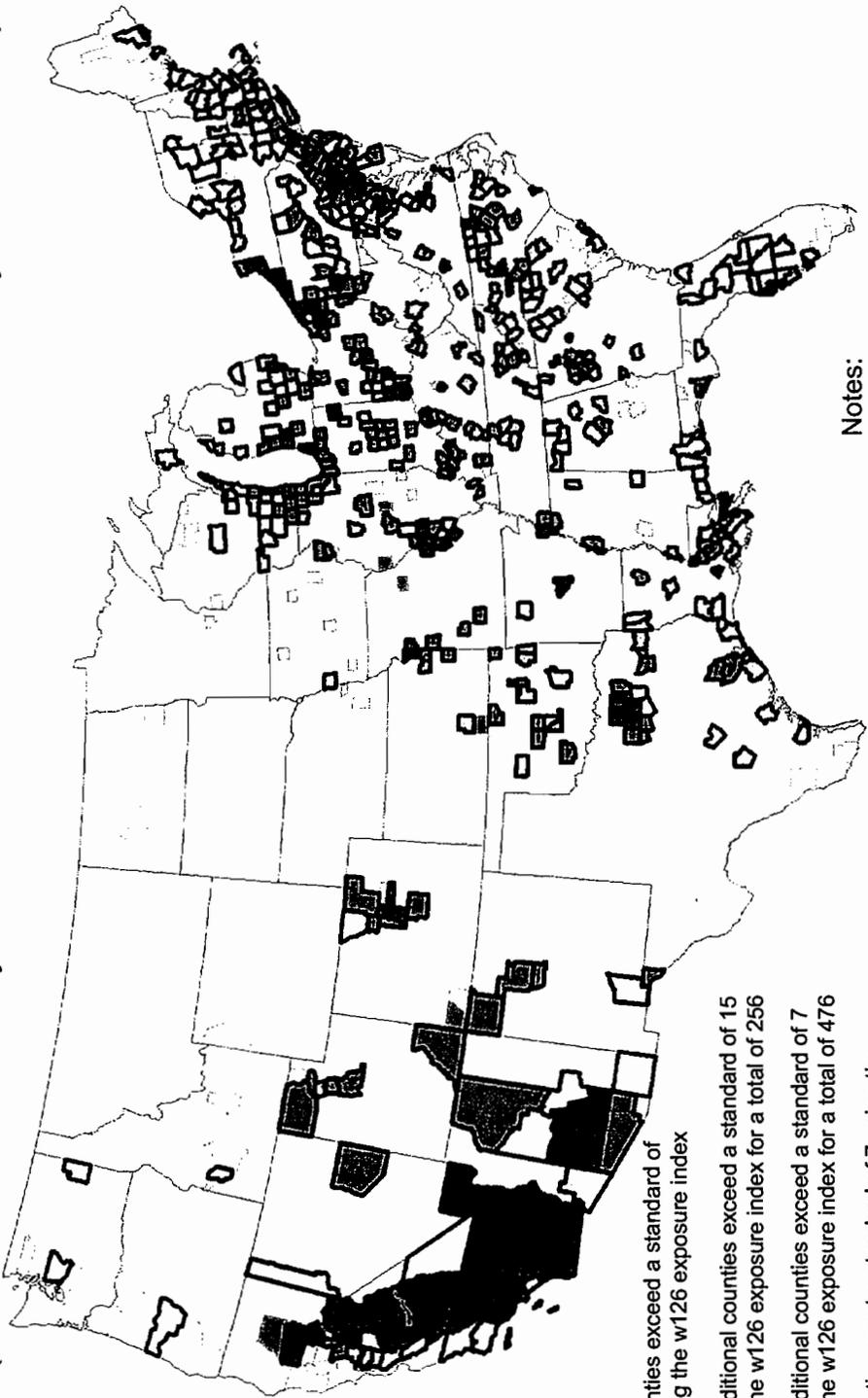
Notes:

- ¹ w126 is out of 555 monitored counties in 2005
- ² No monitored counties outside the continental U.S. violate
- ³ Monitored data can be obtained from the AQS system at <http://www.epa.gov/ttn/airs/airsaqds/>
- ⁴ These estimates are based on the most recent data (2005). EPA will not designate areas as nonattainment on these data, but likely on 2006 - 2008 data which we expect to show improved air quality.



Counties With Monitors Violating Alternative w126 Exposure Index Secondary Standard and 8-hour 0.070 Ozone Primary Standard

(Based on 2005 Air Quality Data for the w126 and 2003-2005 Air Quality Data for 0.070)



-  72 counties exceed a standard of 21 using the w126 exposure index
-  184 additional counties exceed a standard of 15 using the w126 exposure index for a total of 256
-  220 additional counties exceed a standard of 7 using the w126 exposure index for a total of 476
-  79 counties meet a standard of 7 using the w126 exposure index for a total of 555
-  Outlined in heavy black are the 533 counties that exceed the 0.070 alternate 8-hr primary standard

Notes:

- ¹ w126 is out of 555 monitored counties in 2005
- ² No monitored counties outside the continental U.S. violate
- ³ Monitored data can be obtained from the AQS system at <http://www.epa.gov/ttn/airs/airsaqs/>
- ⁴ These estimates are based on the most recent data (2005). EPA will not designate areas as nonattainment on these data, but likely on 2006 - 2008 data which we expect to show improved air quality.

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

September 25, 2007

SUBJECT:

Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area

SUMMARY:

Maricopa County has requested that MAG amend the 208 Water Quality Management Plan to include four water reclamation facilities (WRFs) for the Hassayampa Utility Company (HUC) Northeast Service Area located in unincorporated Maricopa County. The total expected wastewater flows throughout the Area are projected to be 45 million gallons per day (mgd). On August 7, 2007, MAG conducted a public hearing on the Draft MAG 208 Plan Amendments for the HUC Northeast Service Area and HUC Southwest Service Area. Following the public hearing, the MAG Water Quality Advisory Committee recommended approval of the Draft MAG 208 Plan Amendment for the HUC Northeast Service Area. The written comments, public hearing transcript, response by Maricopa County to public comments, and a letter from the Maricopa County Board of Supervisors were transmitted to the MAG Management Committee. On September 11, 2007, MAG received a letter as well as written comments supporting the Draft MAG 208 Plan Amendments for the HUC Northeast Service Area and HUC Southwest Service Area which were provided to the MAG Management Committee at the September 12, 2007 meeting. The MAG Management Committee continued the Draft 208 Plan Amendment for 30 days until the October meeting of the MAG Management Committee.

The Campus 1 WRF would be located in the southeast quarter of Section 22 of Township 2 North, Range 5 West and have an ultimate capacity of 9 mgd. Reclaimed water would be disposed of through reuse, recharge, and an Arizona Pollutant Discharge Elimination System (AZPDES) Permit discharge to the Hassayampa River. The Campus 2 WRF would be located in the southwest quarter of Section 8 of Township 1 North, Range 5 West and have an ultimate capacity of 10 mgd. Reclaimed water would be disposed of through reuse, recharge, and AZPDES Permit discharge points to the Dickey Wash and/or Hassayampa River. The Campus 3 WRF would be located in the southwest quarter of Section 30 of Township 2 North, Range 5 West and have an ultimate capacity of 12 mgd. Reclaimed water would be disposed of through reuse, recharge, and AZPDES Permit discharge points to the Dickey Wash and/or Phillips Wash. The Campus 4 WRF would be located in the southeast quarter of Section 14 of Township 2 North, Range 6 West and have an ultimate capacity of 14 mgd. Reclaimed water would be disposed of through reuse, recharge, and an AZPDES Permit discharge to the Phillips Wash. The Dickey Wash and Phillips Wash are tributaries to the Luke Wash. The project is within three miles of the Town of Buckeye and Buckeye has indicated that they object to the amendment.

PUBLIC INPUT:

On June 6, 2007, the MAG Water Quality Advisory Committee authorized a public hearing on the Draft MAG 208 Plan Amendment for the HUC Northeast Service Area. At the meeting, three public comments were received. In addition, one individual indicated his support on a comment card, but did not wish to speak.

Comments were received from a representative from Maricopa County supporting the project. He indicated that Global Water has spend the last months briefing and working with Maricopa County staff on the technical issues and he is confident that the 208 Amendment is technically sound and urged the Water Quality Advisory Committee to pass the 208 Amendment on for public hearing and ultimately approval.

A representative from Don't Waste Arizona and Arizona Nuclear Energy Watch provided public comment. His comments included: the application is silent on the depth and direction of groundwater flow in the area; there is tritium in the groundwater; no data on how the pumping of groundwater and recharge will affect the speed, flow, and direction of the radioactive water; does not state how radioactive emissions from the Palo Verde Nuclear Generation Station will affect the water; silent on potential effects for contamination of the aquifer by recharging contaminated water; concern of building next to a power plant; concern of large quantities of gaseous chlorine at the water and wastewater plants causing vulnerability of the power plant; private water utility companies are not as well regulated or scrutinized; and, the Hassayampa Sub-Basin historically has not had enough water to support this type of growth.

Comments were provided by a representative from the Henderson Law Firm, representing Harvard Investments, the developer of Hassayampa Ranch. His comments included: Hassayampa Ranch has been going through the process for close to three years; for the first year and a half, Buckeye had no interest and no desire to annex the project; the concern about being able to provide was not an issue with regard to Buckeye; met with the Mayor and Town Manager for Buckeye, where they indicated that the real issue was trying to force annexation and if they agreed to annexation, all the objections with water supply would go away; and, the objections are not about technical issues regarding the 208 Amendment, it is about trying to abuse the process to force annexation.

On August 7, 2007, the MAG Water Quality Advisory Committee conducted a public hearing on the Draft MAG 208 Plan Amendments for the HUC Northeast Service Area and HUC Southwest Service Area. At the public hearing, five testimonies was received and three members of the Water Quality Advisory Committee provided comments. In addition, MAG received written comments from five individuals/entities.

Written comments were received from a representative of the Arizona Corporation Commission urging MAG to act affirmatively on the HUC Northeast Service Area 208 Amendment. The comments included: a law review article has recently been written that includes discussion of the benefits of Global's proposed water conservation practices; the HUC currently holds a Certificate of Convenience and Necessity for both water and wastewater service that covers the application area; and, the Commission has encouraged the development of integrated utilities. The Arizona Law Review article was provided.

Written comments were provided by Daniel E. Blackson encouraging MAG to find a balance between the request of HUC and the demands of the Town of Buckeye for the sake and future of the Tonopah community. The comments included: neither the HUC nor the Town of Buckeye should have their way; Buckeye believes it can better manage the water basin by emphasizing recharge efforts, however plans for this area that are within the Town's incorporated area have green belts and golf courses utilizing reclaim water rather than recharge; Buckeye opposes water and wastewater by a private utility, yet have encouraged it in other parts of their incorporated limits; Buckeye opposes taking water from the southern part of the basin, however it has an existing well field in this area; the request should only accommodate the first phases of master plan community development and be allowed to expand with future phases of development; the community of Tonopah is undergoing incorporation efforts and the new town should have the opportunity to provide water and wastewater service; and, if the Town of Buckeye is allowed to block the 208 and force the master plan communities to incorporate into Buckeye, it will overpower the ability of Tonopah to incorporate.

The Town of Buckeye provided written comments requesting an extension of the public notice period for an additional 120 days. The Town indicated that when Buckeye first reviewed the 208 Amendment it was limited to the Hassayampa Ranch development and has since been enlarged to an area that exceeds the initial development and other planned developments in the County. Buckeye requested an extension of the public notice period for an additional 120 days to allow time to accomplish three objectives: 1) Allow adequate time for the applicant to work cooperatively with the Town on this application and to address the concerns the Town has on the effect of water quality and sustainability of the Hassayampa Lower Sub-Basin watershed and aquifer; 2) Improve the delineation of the boundaries of the service area requested for the sewage treatment facilities, the site of these facilities, and the disposition of effluent with respect to the comprehensive management of water resources and assurance of water quality; and 3) Inclusion of the proposed sewage facility effluent management strategy into the Hassayampa Lower Sub-Basin model.

Additional written comments from the Town of Buckeye included: there are many planning issues other than water quality and sustainability of water resources associated with this large, dense development that have not yet been discussed or examined; the Town relies on the Hassayampa River and the health of the river and the watershed that recharges the aquifer to sustain planned development; and, the framework for water quality management in Arizona was intended to be based on comprehensive goals that consider the relationship of groundwater and surface water and the affect of water withdrawal on water quality, watershed and waterways. The Town is seeking to understand the water management and effluent management plans proposed and then to discuss options that can preserve and sustain the Lower Hassayampa River watershed, aquifer, and Sub-Basin.

The Town of Buckeye also submitted a written position on the 208 Amendment stating that the sustainability of water resources in the region can only be accomplished through an integrated, coordinated approach and until the long-term effect of the 208 Amendment's reuse and recharge is determined, the Town has no choice but to oppose the 208 Amendment and to request that the local governments within MAG support the Town's water management policy for responsible growth. The comments included: concern that the HUC will place a disproportionate number of wells near the Town's western boundary, affecting groundwater conditions within the Town; Section 208 of the Clean Water Act is not meant to write water quantity issues out of the equation; the Town believes the 208 Plan must consider water resource issues as part of the planning process; MAG cannot take measures to improve water quality through the 208 Plan if water quantity is impaired; it is imperative to limit groundwater level decline in order to preserve groundwater quality; the Lower Hassayampa Sub-Basin cannot support planned development without proper management which includes strategic recharge of a significant percentage of the total water use; and, the Town is troubled by HUC's priority to reuse reclaimed water rather than recharge the aquifer. The Town requested that MAG postpone its decision on the 208 Amendment for an additional 120 days to evaluate the 208 Amendment through its consulting engineer and consider (i) whether the recharge sites identified therein are in locations that will contribute to the sustainability of groundwater in the area, and (ii) whether the proposed recovery well sites impact the Town's existing and planned future wells. The Town welcomed an opportunity to work with HUC to resolve these concerns.

Written comments were provided by a representative of Don't Waste Arizona and Arizona Nuclear Energy Watch. The comments included: the application documentation is silent on the potential effects of the radioactive emissions of Palo Verde Nuclear Generating Station on the use and reuse of water in the proposed project and should be quantified and the effect examined; there is already tritium-contaminated water under Palo Verde as well as tritium contamination found in nearby roof vents of homes (portions of a Nuclear Regulatory Commission report were submitted for the record); a study showed a relationship between proximity to nuclear plants and infant mortality rates (article submitted for the record); a question about the wisdom of placing so many dwelling units and people near the Palo Verde Nuclear Generating Station and there is a ten-mile evacuation zone in the event of incident releasing unpermitted radiation; the Hassayampa Sub-Basin has not had enough water to

support this type of growth historically and probably not enough to assure a 100-year water supply; concern groundwater pumping could cause subsidence that threatens homes, buildings, and the Palo Verde Nuclear Power Plant; there appears to have been no active solicitation for public participation in the public process by folks in that area; and, question as to why a public hearing was not held out by Palo Verde.

The City of Scottsdale representative on the MAG Water Quality Advisory Committee asked clarification questions during the public hearing. He inquired about Certificates of Convenience and Necessity for the developments, other than Hassayampa Ranches, in the HUC Northeast Service Area.

The Town of Buckeye representative on the MAG Water Quality Advisory Committee asked clarification questions during the public hearing. His questions included: does HUC hold Certificates of Convenience and Necessity that cover the application area; is the Certificate of Convenience and Necessity for Hassayampa Ranch conditioned or preliminary based on the MAG approval; how is the water quality criteria A+ related to water quality under Section 208 of the Clean Water Act; is the A+ criteria a state water quality requirement or related to discharge to Waters of the United States; what water quality would be released under a Clean Water Act discharge permit, relating to designated uses; does Global Water have any CAP allocations for recharge and what is the accessibility; and, is it a safe assumption that if Global does not own surface water that Global says it is recharging, then it will still be primarily relying on groundwater.

The City of Surprise representative on the MAG Water Quality Advisory Committee asked clarification questions during the public hearing. He inquired about the location of the Tonopah community in relation to the service area and asked if Global has engaged that community in preparation of the 208 proposal. He inquired about interaction with the County residents and specific information or documentation, group meetings, or casual meetings, one on one.

Testimony was received from a representative from the Town of Buckeye. He referenced written comments that were submitted, pointed to those comments as raising objections to the requested 208 Amendment and stated that the Town is standing by those comments. He indicated that apparently the Town of Buckeye and Global Water have a failure to communicate. He stated that it was mentioned that Global Water made overtures to speak with Buckeye, but those calls were not made to him. He stated that the Town would like more time to talk to Global Water and work together to make decisions in the interest of the region of the Hassayampa Valley. He indicated that he had sent an email to Global Water but did not receive a reply.

A Tonopah resident provided testimony requesting that the 208 Amendment be approved. His comments included: support for Global Water's regional comprehensive water plan; Global Water has other programs in effect and is more than qualified to provide services to the Tonopah area; Global Water did come out and speak with the Tonopah Valley Community Council; met with the president of Global Water individually; and, similar plan presented when Global Water bought the Water Utility of Greater Tonopah.

Testimony was received from a representative of Don't Waste Arizona and Arizona Nuclear Energy Watch. His comments included: concern about the radioactive emissions from the Palo Verde Nuclear Generating Station; a study points out the relationship between the proximity to nuclear plants and infant mortality rates; concern about the ability to evacuate people from the area in case of nuclear incident; Palo Verde is a troubled facility; someone in government has to be responsible and take a look; and, it would have been a better idea to have the public hearing in the vicinity of the communities affected.

Testimony was provided both verbally and in written form from a representative from the Tonopah Valley Association and resident of Tonopah requesting that MAG approve the 208 Amendment. Her

comments included: information provided by Global Water at meetings has been impressive including the systems Global Water is currently providing in Maricopa and Casa Grande, Arizona; Global Water is interested in recycling and reusing the water more times than is customarily done; Global Water is technically capable of providing good wastewater treatment needs for the developments proposed in the Tonopah Valley; Global Water is well-capitalized and can operate and maintain good regional systems; Global Water purchased the Water Utility of Greater Tonopah and are upgrading and improving the condition of the water system; concern about the desire of Buckeye to annex part of Tonopah Valley; want to retain own identity as Tonopah; a lot of people from Tonopah are in attendance in support; Global Water as a private company is capable of serving the area better than Buckeye; and, if a private company such as Global Water is not able to provide the needed water and wastewater services to the area and Buckeye is, it could involve developments that are being proposed across the Tonopah Valley and be devastating to the future growth and development of Tonopah Valley.

Testimony was received from a representative from Henderson Law Firm on behalf of Harvard Investments, owner and developer of Hassayampa Ranch. His comments included: have met with the residents of Tonopah and they like what is being proposed; he provided comment a year ago, on the Balterra 208 Amendment that Maricopa County was sponsoring, where landowners opposed it moving forward; it is a similar situation today except a municipality is objecting; the Water Quality Advisory Committee determined that there were no technical issues with the Balterra 208 Amendment and no reason for delay so it moved forward; he thinks that has to be the outcome with this 208 Amendment; the County, a MAG member, is sponsoring the amendment and is present; and, there are no technical issues and no property in the 208 Amendment is within a municipal planning area and to his knowledge all want to be in the 208.

On August 31, 2007, MAG received a letter from the Maricopa County Board of Supervisors. Comments included: Maricopa County Board of Supervisors supports the application of the Global Water HUC Northeast Service Area and Southwest Service Area Amendment Applications; the County Environmental Services Department has thoroughly reviewed the applications and determined that the proposed amendments meet the legal and procedural requirements of the MAG 208 Checklist; on August 22, 2007, Board of Supervisors passed a resolution of support for these applications (provided); they are essential to support the development of several mater planned communities in the area, and will ensure that the needs of the citizens are met; the applications are within unincorporated Maricopa County and not within any other member's planning area; and, therefore, ask that the Regional Council approve the applications.

On September 11, 2007, MAG received a letter as well as written comments supporting the Draft MAG 208 Plan Amendments for the HUC Northeast Service Area and HUC Southwest Service Area. In addition, two members of the public commented on the HUC Northeast Service Area 208 Plan Amendment at the September 12, 2007 MAG Management Committee meeting.

Written comments were provided by a representative of Beus Gilbert responding to comments and questions received at the August 7, 2007 public hearing for the Draft MAG 208 Plan Amendments for the HUC Northeast Service Area and HUC Southwest Service Area. The responses included: a 208 plan amendment is by definition an areawide wastewater planning document that is not limited only to areas of "immediate future" development; HUC is responding to the requests of many landowners in the West Valley; the Town of Buckeye has not submitted a 208 amendment to serve areas west of the Hassayampa River as described in the HUC amendments and does not have planning jurisdiction over unincorporated Maricopa County; there are no imminent annexations from Buckeye; the 208 amendment in no way precludes, enables, delays, or affects area residents from proceeding with their efforts towards incorporation in a future Tonopah, or from choosing to request annexation from Buckeye; the 208 plan amendments are located in unincorporated Maricopa County, sponsored by Maricopa County, and meet the technical requirements; HUC has offered to meet with the Town of Buckeye and to discuss the 208 amendments and has communicated through letters, and personally

met with the Town on this and a number of subjects during the past year; all MAG members have had ample time to review the 208 amendments; the proposed wastewater treatment facilities have a net positive impact to area groundwater supply and produce Class A+ reclaimed water which will be reused and recharged in the service area; reclaimed water is part and parcel of Arizona's water supply future - and all the agencies involved support its use in recharge and reuse applications; discussion of the HUC reclaimed water management strategy; the amendments exceed any mandated requirements for recharge and reuse; and, the Hassayampa Lower Sub-Basin model relies on 30 percent of the water demand being met by reclaimed water reuse or recharge for the 100-year Assured Water Supply and HUC commits to this strategy.

Additional written comments from a representative of Beus Gilbert included: the 208 Plan Amendment Process does not require the siting of recharge facilities; other model simulations in the Hassayampa Lower Sub-Basin model rely on the West Maricopa Combine Managed Recharge Facility which is permitted, constructed, and operated by Global Water Resources; Global Water has permits for a second facility in the same area; with this CAP recharge located within the Hassayampa River, HUC and Global Water are going above and beyond what is prescribed in the 208 process; there is no requirement to mention recovery wells or recovery pumping and future infrastructure siting in the amendment service area would have to be undertaken in accordance with Maricopa County Environmental Services Department (MCESD), Arizona Department of Environmental Quality, and Arizona Department of Water Resources (ADWR); HUC's integrated approach offers this region the ability to serve the development community with one-third less water than that required elsewhere in the state for comparable services; the sustainability of water resources remains the jurisdiction of ADWR; MCESD has found the 208 Plan amendments technically sound and to meet the 208 Plan amendment criteria; HUC president and CEO has met with key community leaders in the Tonopah area for the last several years; Belmont has held over 20 neighborhood meetings; and, the responses provided by HUC are substantive to demonstrate satisfaction, beyond any doubt, of the requirements of the MAG 208 Water Quality Management Plan, and that approval of the HUC Northeast Service Area and HUC Southwest Service Area 208 Plan Amendments inures to the benefits of the public.

Comments was provided both verbally and in written form from a representative from the Tonopah Valley Association requesting that MAG approve, per Maricopa County's sponsorship, the HUC Northeast Service Area and Southwest Service Area 208 Plan Amendments. Her comments included: information provided by Global Water Resources at meetings has been impressive including the systems Global Water is currently providing in Maricopa and Casa Grande, Arizona; the systems use only about 40 percent of the amount of water used in other like towns; Global Water is interested in recycling and reusing the water more times than is customarily done; Global Water is technically capable of providing good wastewater treatment needs for the developments proposed in the Tonopah Valley; Global Water is well-capitalized and can operate and maintain good regional systems; Global Water purchased the Water Utility of Greater Tonopah and are upgrading and improving the condition of the water system; concern about the desire of Buckeye to annex part of Tonopah Valley; want to retain own identity as Tonopah; Buckeye does not have the experience of owning and operating these integrated services, nor the financial resources immediately available, as compared to Global Water; Global Water as a private company is capable of serving the area better than Buckeye; if a private company such as Global Water is not able to provide the needed water and wastewater services to the area and Buckeye is, it could involve developments that are being proposed across the Tonopah Valley and be devastating to the future growth and development of Tonopah Valley; and, a lot of people from Tonopah are in attendance in support.

Comments were provided by a representative from Beus Gilbert representing Global Water and Hassayampa Utility Company. He stated that they are cognizant of the fact that Buckeye has requested a 30 day continuance and will go along with that request, but would like to put a few things on the record. His comments included: there are two requests before the Management Committee, the HUC Southwest Service Area 208 Plan Amendment which was approved on the consent agenda and the HUC Northeast Service Area 208 Plan Amendment; the two amendments are parallel cases

and are virtually the same; by approving the Southwest Service Area 208 amendment it is implicit acknowledgment that Global Water has complied with all the requirements under the 208 process; the only difference in the amendments is the location; take vigorous exception with Buckeye's request in connection with the 208 Program to discuss matters that deal exclusively with the Arizona Department of Water Resources and water quantity and quality and reclaim issues that are not part of the 208 process; establishing a precedent that is going to be deleterious in the future by bringing these issues into the 208 process; concerned that there is nothing in the Clean Water Act that talks about the issues that Buckeye has raised for continuing the amendment; remain adamant that proper consideration of 208 is limited to that section of the Clean Water Act and not relevant for consideration before the Management Committee; will continue to maintain that position, however, Global has agreed that they will meet with and discuss in detail Buckeye's concerns; there has already been good, meaningful dialogue; happy to have Buckeye Town Manager on board; dialogue is taking place, but Global is not changing position; not relevant to the consideration under the 208 Amendment Process; willing to go along with the 30 day continuance with the understanding that will be the last request for a continuance; will meet and talk to resolve these problems and put some type of memorandum of understanding together; when back before the Management Committee, the hope is that there is a commitment from the Committee that this case can be heard on the merits and go forward; and, with these caveats and explanation, Global will not object to the 30 day continuance.

PROS & CONS:

PROS: Approval of the 208 Plan Amendment for the Hassayampa Utility Company Northeast Service Area would make the four facilities included in the amendment consistent with the MAG 208 Plan. The MAG 208 Water Quality Management Plan is the key guiding document used by Maricopa County and the Arizona Department of Environmental Quality in granting permits for wastewater treatment systems in the MAG region.

CONS: Currently, there are concerns about the water and effluent management plans for the Hassayampa Utility Company Northeast Service Area, proximity of the service area to the Palo Verde Nuclear Power Plant, not enough water to assure a 100-year water supply, and the impact of the 208 Plan Amendment on the incorporation efforts of the community of Tonopah.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The four facilities included in the Hassayampa Utility Company Northeast Service Area 208 Plan Amendment are needed to accommodate growth in the Maricopa County unincorporated area.

POLICY: The MAG 208 Water Quality Management Plan is the key guiding document used by Maricopa County and the Arizona Department of Environmental Quality in granting permits for wastewater treatment systems in the MAG region. Approval of the 208 Plan Amendment would enable the facility to be deemed consistent with the MAG 208 Plan. Consistency is necessary for permit approvals.

ACTION NEEDED:

Recommend approval of the Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area.

PRIOR COMMITTEE ACTIONS:

Management Committee: On September 12, 2007, the MAG Management Committee continued the Draft 208 Plan Amendment for the Hassayampa Utility Company Northeast Service Area for 30 days until the October meeting of the MAG Management Committee.

MEMBERS ATTENDING

Jan Dolan, Scottsdale, Chair
Charlie McClendon, Avondale, Vice Chair
Bryant Powell for George Hoffman,
Apache Junction
Dave Wilcox, Buckeye
* Jon Pearson, Carefree
* Usama Abujbarah, Cave Creek
Mark Pentz, Chandler
Pat Dennis for B.J. Cornwall, El Mirage
Alfonso Rodriguez, Fort McDowell
Yavapai Nation
Tim Pickering, Fountain Hills
* Lynn Farmer, Gila Bend
* Joseph Manuel, Gila River
Indian Community
George Pettit, Gilbert
Jessica Blazina for Ed Beasley, Glendale
Brian Dalke, Goodyear
* Mark Johnson, Guadalupe

Darryl Crossman, Litchfield Park
Christopher Brady, Mesa
Tom Martinsen, Paradise Valley
Terry Ellis, Peoria
Frank Fairbanks, Phoenix
John Kross, Queen Creek
* Bryan Meyers, Salt River Pima-Maricopa
Indian Community
Doug Sandstrom for Jim Rumpeltes,
Surprise
Jeff Kulaga, Tempe
Reyes Medrano, Tolleson
Gary Edwards, Wickenburg
Lloyce Robinson, Youngtown
Bill Hayden for Victor Mendez, ADOT
David Smith, Maricopa County
Bryan Jungwirth for David Boggs,
Valley Metro/RPTA

- * Those members neither present nor represented by proxy.
- # Participated by telephone conference call.
- + Participated by videoconference call.

Water Quality Advisory Committee: On August 7, 2007, the MAG Water Quality Advisory Committee conducted a public hearing on the Draft 208 Plan Amendment for the Hassayampa Utility Company Northeast Service Area. Following the hearing, the Committee recommended approval of the Draft 208 Plan Amendment to the MAG Management Committee, with five members voting no (*italics*).

MEMBERS ATTENDING

Roger Klingler, Scottsdale, Chair
Marilyn DeRosa, Avondale
Steve Borst for Lucky Roberts, Buckeye
Jacqueline Strong, Chandler
Greg Stack, El Mirage
* Lonnie Frost, Gilbert
Chris Ochs, Glendale
David Iwanski, Goodyear
Bill Haney, Mesa
Stephen Bontrager, Peoria

Robert Hollander, Phoenix
Rich Williams Sr., Surprise
David McNeil, Tempe
Dale Bodiya for Kevin Chadwick, Maricopa
County
John Boyer, Pinnacle West Capital
Jim Kudlinski for Ray Hedrick, Salt River
Project
Erin Taylor, U of A Cooperative Extension

- *Those members neither present nor represented by proxy.
- #Attended by telephone conference call.

CONTACT PERSON:

Julie Hoffman, MAG, 602-254-6300