

January 10, 2012

TO: Members of the MAG Regional Council Executive Committee

FROM: Mayor Hugh Hallman, City of Tempe, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA FOR  
THE MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE AND A POSSIBLE  
EXECUTIVE SESSION

Tuesday, January 17, 2012 - 12:00 Noon  
MAG Office, Suite 200 - Ironwood  
302 North 1<sup>st</sup> Avenue, Phoenix

A meeting of the MAG Regional Council Executive Committee has been scheduled for the time and place noted above. Members of the Committee may attend the meeting either in person or by telephone conference.

Please park in the garage under the building. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority 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 Denise McClafferty at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions regarding the Executive Committee agenda items, please contact me at 480-350-8221. For MAG staff, please contact Dennis Smith, MAG Executive Director, at (602) 254-6300.

MAG EXECUTIVE COMMITTEE  
TENTATIVE AGENDA  
JANUARY 17, 2012

COMMITTEE ACTION REQUESTED

<p>1. <u>Call to Order</u></p> <p>The meeting of the Executive Committee will be called to order.</p>	
<p>2. <u>Call to the Audience</u></p> <p>An opportunity will be provided to members of the public to address the Executive Committee on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Members of the public 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 Executive Committee requests an exception to this limit. Please note that those wishing to comment on action agenda items will be given an opportunity at the time the item is heard.</p>	<p>2. Information and discussion.</p>
<p>3. <u>Approval of Executive Committee Consent Agenda</u></p> <p>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 (*).</p>	<p>3. Approval of Executive Committee Consent Agenda.</p>

ITEMS PROPOSED FOR CONSENT\*  
BY THE EXECUTIVE COMMITTEE

<p>*3A. <u>Approval of the November 14, 2011 Executive Committee Meeting Minutes</u></p>	<p>3A. Approval of the November 14, 2011 Executive Committee meeting minutes.</p>
<p>*3B. <u>Status Update on the June 30, 2011 Single Audit and Management Letter Comments, MAG's Comprehensive Annual Financial Report and OMB Circular A-133 Reports (i.e., "Single Audit") for the Fiscal Year Ended June 30, 2011</u></p>	<p>3B. Recommend acceptance of the audit opinion issued on the MAG Comprehensive Annual Financial Report and Single Audit Report for the year ended June 30, 2011.</p>

The accounting firm of LarsonAllen, LLP has completed the audit of MAG's Comprehensive Annual Financial Report (CAFR) and Single Audit for the fiscal year ended June 30, 2011. An unqualified audit opinion was issued on November 16, 2011 on the financial statements of governmental activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information. The independent auditors' report on compliance with the requirements applicable to major federal award programs, expressed an unqualified opinion on the Single Audit. The Single Audit report indicated there were no reportable conditions in MAG's internal control over financial reporting considered to be material weaknesses, no instances of noncompliance considered to be material and no questioned costs. The Single Audit report had no new or repeat findings. The CAFR financial statements and related footnotes were prepared in accordance with the Government Finance Officers Association's (GFOA) standards for the Certificate of Achievement for Excellence in Financial Reporting awards program. Management intends to submit the June 30, 2011 CAFR to the GFOA awards program for review. If awarded the certificate for the June 30, 2011 CAFR, this would be the agency's 14th consecutive award. This item is on the January 11, 2012 Management Committee agenda for recommendation to accept. Please refer to the enclosed material.

\*3C. Consultant Selection for the MAG Gila Bend Small Area Transportation Study

The Fiscal Year (FY) 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, includes \$70,000 to conduct the Gila Bend Small Area Transportation Study, which will accept and incorporate formally the recommended transportation framework identified in the MAG Interstates 8/10 Hidden Valley Transportation Framework Study as part of the Town of Gila Bend's transportation network. The Town of Gila

3C. Approval of the selection of Kimley-Horn and Associates to conduct the Gila Bend Small Area Transportation Study for an amount not to exceed \$95,000.

Bend is going to contribute \$5,000 toward the project and Maricopa County Department of Transportation is going to contribute \$20,000, bringing the total cost of the project to \$95,000. The Request for Proposals was advertised on September 13, 2011. Five proposals were received and reviewed by a multi-agency proposal evaluation team. On November 14, 2011, the proposal evaluation team recommended to MAG the selection of Kimley-Horn and Associates to conduct the project for an amount not to exceed \$95,000. This item is on the January 11, 2012 Management Committee agenda for recommendation to approve. Please refer to the enclosed material.

\*3D. Consultant Selection to Conduct the MAG Bicycle Count Project

The Fiscal Year (FY) 2012 MAG Unified Planning Work Program and Annual Budget includes \$96,000 to develop a methodology and conduct a bicycle count in the region. The project will gather data for the bicycle count, which will be incorporated into the MAG Performance Measures, MAG Safety and MAG modeling programs. A Request for Proposals was issued on September 16, 2011. MAG received proposals from four firms on October 26, 2011. A multi-agency proposal evaluation team reviewed the proposals and on November 9, 2011, recommended to MAG the selection of Fehrs & Peers to conduct the MAG Bicycle Count Project. On November 15, 2011, the MAG Bicycle and Pedestrian Committee recommended approval of Fehrs & Peers to conduct the MAG Bicycle Count Project for an amount not to exceed \$96,000. This item is on the January 11, 2012 Management Committee agenda for recommendation to approve. Please refer to the enclosed material.

\*3E. MAG Committee Operating Policies and Procedures

On July 22, 2009, the MAG Regional Council approved the MAG Committee Operating Policies

3D. Approval of the selection of Fehrs & Peers to conduct the MAG Bicycle Count Project for an amount not to exceed \$96,000.

3E. Information, discussion and recommendation to update Section 5.05 - Terms of Officers to two-year terms for the technical and other policy committees in the MAG Committee Operating Policies and Procedures.

and Procedures. Officer appointments for technical and other policy committees will be made by the MAG Executive Committee and are eligible for one-year terms, with possible reappointment to serve up to one additional term by consent of the respective committee. We have been operating under these policies and procedures for approximately 2 ½ years. Based on this experience, staff is recommending that the terms for the technical and other policy committee officers be extended to two-year terms to provide more continuity. The terms of officers for the Regional Council, Executive Committee, Transportation Policy Committee, Management Committee and Economic Development Committee will remain the same.

\*3F. Update on the MAG Five Percent Plan for PM-10 and EPA Proposed Ozone Nonattainment Area Boundary

An update will be provided on the MAG Five Percent Plan for PM-10 and the activities to prevent PM-10 exceedances at the monitors and throughout the region. The Arizona Department of Environmental Quality (ADEQ) is continuing to prepare the documentation for the 21 days of exceptional events in 2011 with technical assistance from Maricopa County and MAG staff. On November 22, 2011, positive comments and suggestions were received from the Environmental Protection Agency (EPA) informally on the first group of exceptional events for July 2-8, 2011. The documentation will be revised in January 2012 and then provided for a 30 day public comment period. Following the November Regional Council Executive Committee meeting, a letter was sent to EPA to discuss a concept for streamlining the exceptional events process by enabling the states and tribes to make the exceptional events determinations, after consultation with EPA. Regarding the plan, ADEQ needs to provide the final Dust Action General Permit, a commitment to assess the effectiveness of the voluntary and emerging control measure (Dust Action General Permit), Agricultural Best

3F. Information and discussion.

Management Practices Program Rule Revision, and a commitment to submit the technical support documentation for the Agricultural Best Management Practices Rule Revision. Regarding ozone, EPA sent a letter to the Governor on December 9, 2011 that proposed the nonattainment area boundary for the 2008 eight-hour ozone standard (0.075 parts per million) based upon a recent recommendation from ADEQ. The proposed boundary would expand the current nonattainment area to the west and southwest where new power plants are located. Please refer to the enclosed material.

ITEMS PROPOSED TO BE HEARD  
BY THE EXECUTIVE COMMITTEE

4. MAG Committee Chair and Vice Chair Appointments for the Solid Waste Advisory Committee

At the October 12, 2011 MAG Management Committee meeting, interest was expressed in reconvening the MAG Solid Waste Advisory Committee. Maricopa County indicated that the County has been evaluating its solid waste management facilities and their performance as well as other solid waste issues. The City of Phoenix also expressed interest in sharing ideas on best management practices. Since the Committee has been relatively inactive, the Chair and Vice Chair positions are currently vacant. Letters of interest have been requested for Chair and Vice Chair of the Solid Waste Advisory Committee. Copies of the letters and a table identifying individuals requesting consideration for the positions have been included. Please refer to the enclosed material.

5. 2012 Desert Peaks Awards Program

The Maricopa Association of Governments established the Desert Peaks Awards Program in 1998 to recognize excellence in regional cooperation among local governments, citizens and the private sector. MAG is proud to biennially

4. Approval of appointments of new Chair and Vice Chair for the MAG Solid Waste Advisory Committee ending December 31, 2012.

5. Information, discussion and input.

honor those agencies and individuals who have demonstrated a commitment to promoting, recognizing, and attaining the ideals of regionalism. The 2012 Desert Peaks Awards event is scheduled for June 27, 2012. The event consists of a reception followed by a presentation of the awards. Staff will provide an update on planning efforts to date and will solicit the Executive Committee's feedback on the awards venue, flow and processes, including the potential creation of an additional awards category to recognize an outstanding regional business partner and a potential change to the types of trophies presented. Please refer to the enclosed material.

6. Proposed Change of Time for Regional Council Meetings

Historically, Regional Council meetings have been set for 5:00 p.m. It has been suggested to move the start time from 5:00 p.m. to 11:30 a.m. A working luncheon would be included. Staff is recommending that the Regional Council Executive Committee consider this change and recommend moving the Regional Council start time from 5:00 p.m. to 11:30 a.m.

7. Discussion of the Development of the FY 2013 MAG Unified Planning Work Program and Annual Budget

Each year, the Unified Planning Work Program and Annual Budget is developed in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies in the spring and approved by the Regional Council in May. This overview of MAG's draft Dues and Assessments and the proposed budget production timeline provides an opportunity for early input into the development of the Work Program and Budget. Please refer to the enclosed material.

6. Recommend that the start time for the Regional Council meetings be moved from 5:00 p.m. to 11:30 a.m.

7. Information and input on the development of the fiscal year (FY) 2013 MAG Unified Planning Work Program and Annual Budget.

8. Funding for the Brookings Metropolitan Planning Initiative

On July 18, 2011, staff announced that MAG had received confirmation that Brookings selected this region to participate in the Metropolitan Businesses Planning Initiative. It was noted that Brookings would be seeking funding from the business community to help support a portion of their efforts. Options will be discussed regarding MAG soliciting private sector funding for this effort or using a portion of MAG funding as seed money.

9. Review of MAG FY 2011 Goals and Results and Discussion of Proposed Draft FY 2012 Goals/Work Emphasis Areas

Each year, as part of the Executive Director's evaluation, current year (FY 2011-2012) goals and results are presented. This information was sent to the Regional Council and Executive Committee with the performance survey. The proposed goals/work emphasis areas for FY 2012 are being presented for input. Please refer to the enclosed material.

10. Annual Performance Review of the MAG Executive Director

The employment agreement entered into with the MAG Executive Director in January 2003 provided that the Executive Committee conduct an annual performance review in consultation with the Regional Council. On November 14, 2011, the Executive Committee agreed to move forward with the evaluation survey for the MAG Executive Director's performance review.

On November 30, 2011, the survey and Major Regional Goals and Results for FY 2011-2012 were sent to members of the Regional Council to receive their input on the review. This information was also sent to the members of the Executive Committee. The results of the completed surveys were summarized and will be discussed by the

8. Information, discussion and possible action to support the Metropolitan Business Planning Initiative with MAG funding as seed money.

9. Review of MAG FY 2011 Goals and Results and discussion/input into the Draft FY 2012 Goals/Work Emphasis Areas.

10. Information, discussion and motion to adjourn to executive session to discuss personnel matters relating to the MAG Executive Director's review and salary. A.R.S. § 38-431.03(A)(1).

members of the Executive Committee. This information will be sent separately.

The Executive Committee may vote to recess the meeting and go into executive session to discuss personnel matters relating to the MAG Executive Director's review and salary. The meeting may then be reconvened to take action regarding the review and make a salary determination. It is anticipated that the action of the Executive Committee would be presented to the Regional Council for ratification. The authority for such an executive session is A.R.S. § 38-431.03(A)(1).

11. Request for Future Agenda Items

Topics or issues of interest that the Executive Committee would like to have considered for discussion at a future meeting will be requested.

12. Comments from the Committee

An opportunity will be provided for the Executive Committee members to present a brief summary of current events. The Executive 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.

Adjournment

11. Information and discussion.

12. Information.

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE  
November 14, 2011  
MAG Offices, Ironwood Room  
302 N. 1<sup>st</sup> Avenue, Phoenix, Arizona

MEMBERS ATTENDING

Mayor, Hugh Hallman, Tempe, Chair	#Mayor Michael LeVault, Youngtown
Mayor, Marie Lopez-Rogers, Avondale, Vice Chair	Vice Mayor Thelda Williams, Phoenix
Mayor Scott Smith, Mesa, Treasurer	#Mayor Thomas L. Schoaf, Litchfield Park, Past Chair
*Mayor Jim Lane, Scottsdale	

\* Not present

# Participated by video or telephone conference call

1. Call to Order

The Executive Committee meeting was called to order by Chair Hallman at 12:01 p.m.

Chair Hallman stated that public comment cards were available for those members of the public who wish to comment. Transit tickets were available from Valley Metro for those using transit to come to the meeting. Parking validation was available from MAG staff for those who parked in the parking garage.

2. Call to the Audience

Chair Hallman stated that according to the MAG public comment process, members of the audience who wish to speak are requested to fill out the public comment cards. He stated that there is a three-minute time limit. Public comment is provided at the beginning of the meeting for 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 Hallman noted that no public comment cards had been received.

3. Consent Agenda

Chair Hallman noted that prior to action on the consent agenda, members of the audience are 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.

Chair Hallman requested a motion to approve the consent agenda. Mayor Lopez-Rogers moved to approve items #3A through #3C. Mayor LeVault seconded the motion and the motion carried unanimously.

3A. Approval of the October 17, 2011 Executive Committee Meeting Minutes

The Regional Council Executive Committee, by consent, approved the October 17, 2011 Executive Committee meeting minutes.

3B. Amendment to the Caliper Corporation Contract to Perform Second Phase of the Inner Loop Traffic Operations Model

The Regional Council Executive Committee, by consent, approved amending the Caliper Corporation Contract by \$250,000 to conduct the additional work for the 2010 Inner Loop Traffic Operations Model Development. On May 27, 2009, the MAG Regional Council approved the FY 2010 MAG Unified Planning Work Program and Annual Budget, which included the 2010 Inner Loop Traffic Operations Model Development Phase I for developing a microsimulation for a significant portion of the metropolitan area bounded by Loop 101 on the west, north, and east, and Loop 202 on the south. Following the consultant selection process, the Regional Council Executive Committee on March 22, 2010, approved Caliper Corporation to complete the first phase of the project for \$499,930. The first phase of this project is in the final stages of development and is presently on schedule. On May 26, 2010, the MAG Regional Council approved the FY 2011 MAG Unified Planning Work Program and Annual Budget, which included the 2011 Phase II - Inner Loop Traffic Operations Model project for \$250,000 as the next phase of the traffic operations model development. Building upon the efforts in the first phase of the project, the consultant is ready to proceed into the second phase where the microsimulation effort will be completed with the addition of three-dimensional models to facilitate the model's validation and availability for scenario testing. To conduct this second phase effort, the contract budget with Caliper Corporation will need to be amended to add the funding for the next phase approved by the Regional Council in the MAG FY 2011 Unified Planning Work Program and Annual Budget. MAG federal funds will be used for the second phase of this project.

3C. Amendment to the HDR, Inc. Contract for the Southeast Major Investment Study to Complete Study of Additional Improvement Scenarios

The Regional Council Executive Committee, by consent, approved amending the HDR, Inc. contract by \$88,867 to conduct the additional work for the Southeast Corridor Major Investment Study. The fiscal year (FY) 2010 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2009, was amended in March 2010 by the MAG Regional Council Executive Committee to include \$300,000 to conduct the Southeast Corridor Major Investment Study. On May 17, 2010, the MAG Regional Council Executive Committee selected HDR, Inc. to conduct the study for an amount not to exceed \$300,000. Since receiving

notice to proceed on the study in June 2010, the consultant has developed, studied, and analyzed three bundles of more than 25 different transportation alternatives to accommodate the travel demand forecasts in the Southeast Corridor area that reaches from Downtown Phoenix to Downtown Chandler. Information generated by this study thus far has significantly benefit not only this Major Investment Study, but has also contributed valuable information to the Environmental Impact Statement (EIS) projects for Interstate 10/Maricopa Freeway and SR-202L/South Mountain Freeway. Upon analysis of these transportation alternative bundles, additional combinations of improvements have been brought forward by the project's Planning Partners, including the Federal Highway Administration, the City of Tempe, and the City of Chandler, as additional items that merit testing and study in the Southeast Corridor. These additional combinations are beyond the scope of the original contract. HDR, Inc. has advised MAG that an additional amount of \$88,867 is needed to effectively study these items.

#### 4. Metropolitan Business Planning Initiative Business Consultant Selection

Amy St. Peter thanked the committee for the opportunity to provide an update on the Metropolitan Business Planning Initiative Business Consultant Selection. She noted in May 2011, the MAG Regional Council approved the submission of a proposal to participate in the Metropolitan Business Planning Initiative. The budget for this proposal included \$166,400 to secure a business consultant to assist with implementation of the project. In July, the Brookings Institution announced that the region had been selected to participate in the initiative. In September, a Request for Proposals was issued to request proposals for the business consultant. On October 7, 2011, two proposals were received, from Elliot D. Pollack and Company and Value Point Solutions. On October 26, 2011, a multi-disciplinary team met to review the proposals. The review team recommended to MAG the selection of Elliot D. Pollack and Company to complete tasks one through four as specified in the Request for Proposals with tasks five and six being awarded separately to support the Metropolitan Business Planning Initiative for a total amount not to exceed \$166,400 for all six tasks. Following the meeting, staff contacted the Elliot D. Pollack Company to determine the cost for tasks one through four. They indicated a cost of \$78,400. Staff also inquired from Value Point Solutions the cost for tasks five and six to develop the business plan and prospectus if they were to be considered for these tasks. They indicated a cost of \$88,000 if they were to be considered for tasks five and six. Ms. St. Peter stated that both business consultants were present to answer any questions.

Chair Hallman asked if there were any questions or comments. Mr. Smith noted the recommendation from the Management Committee is to secure Elliott D. Pollack and Company to complete tasks one through four as specified in the Request for Proposal.

Mayor Schoaf stated he is supportive of approving Elliott D. Pollack and Company to complete tasks one through four and believes they can do a good job. He noted that he would like to make a disclosure and has contacted MAG legal counsel to confirm there is no conflict of interest. Mayor Schoaf noted the reason for making this disclosure is he would like to make a recommendation to approve Value Point Solutions for items five and six. Mayor Schoaf

requested that these tasks be considered separately from tasks one through four. The reason he is making this recommendation is because he has done business with Value Point Solutions and believes that the consultant who is approved to complete tasks five and six has to have a very strong business background and suggested that the members review their resume and ask any questions that they may have. He noted that Value Point Solutions are experienced in management of large business enterprises, has done a lot of business planning and would bring a business man's approach to our region, which would be a benefit.

Chair Hallman requested a motion to approve task items one through four to Elliott D. Pollack and Company. Vice Mayor Williams moved to approve the selection of Elliott D. Pollack and Company to conduct the analytics and activities specified under tasks one through four for an amount not to exceed \$78,400. Mayor Lopez-Rogers seconded the motion and the motion carried out unanimously.

Chair Hallman stated Mayor Schoaf recommends to approve items five and six to Value Point Solutions, given their business expertise. Ms. St. Peter noted at this time there was a lack of consensus from the review team in regards to approving items five and six to either party.

Vice Mayor Williams asked when the Request for Proposal went out was it meant to be broken up in parts or was it envisioned that all items would be completed by one consultant. Ms. St. Peter stated there were not specifics on the RFP stating that bidders had to complete all six tasks or whether they could break tasks up. She noted that they did go back to the consultants and asked them for proposals on items one through four and separate pricing for tasks five and six.

Mayor Smith asked if the Request for Proposal was premature for tasks five and six. Ms. St. Peter noted that some members of the review team thought the timing was not right to approve tasks five and six.

Chair Hallman directed staff to request that the review team make a recommendation on the firm to be selected for tasks five and six and the committee members agreed this issue should be brought up at the next Regional Council meeting in December to see what their recommendation would be in regards to awarding items five and six.

Chair Hallman asked if there were any other comments or questions. There were none.

5. Amendment to the FY 2012 MAG Unified Planning Work Program and Annual Budget to Participate in the Regional Interstate Railway Economic Study

Mr. Smith stated The Western High Speed Rail Alliance is proposing to initiate a Regional Interstate Railway Economic Study to study the economic benefits of interstate rail connectivity in the Intermountain West. He noted the total cost of the project will be \$100,000 to \$200,000, with a MAG portion of approximately \$25,000 to \$50,000. He stated MAG staff has contacted the Arizona Department of Transportation to inquire about their interest in participating in

sharing the MAG cost of this study. Mr. Smith stated MAG will only spend these funds if all Western High Speed Rail Alliance members participate.

Mayor Lopez-Rogers moved to approve amending the FY 2012 MAG Unified Planning Work Program and Annual Budget to participate in the Regional Interstate Railway Economic Study through the Western High Speed Rail Alliance for an amount not to exceed \$50,000. Vice Mayor Williams seconded the motion and the motion carried out unanimously.

6. MAG Committee Chair and Vice Chair Appointments ending December 31, 2011

Chair Hallman announced the recommended appointments of Chairs and Vice Chairs of MAG Technical and Policy Committees beginning January 2012. He noted that there remains a vacancy for the Transportation Safety Committee Vice Chair position and recommended staff present this issue at the next Regional Council Committee meeting in December.

Mayor LeVault moved to approve appointments of Chairs and Vice Chairs of MAG Technical and Policy Committees beginning January 2012 and approved staff to present the Transportation Safety Committee Vice Chair vacancy to Regional Council in December. Mayor Smith seconded the motion and the motion carried out unanimously.

7. Update on the MAG Five Percent Plan for PM-10

Lindy Bauer, MAG Environmental Director, provided an update on the MAG Five Percent Plan for PM-10. Ms. Bauer noted on November 2 and 4, 2011 there were additional exceptional events, which brings the total of exceptional event days to twenty-one. Ms. Bauer stated that these events have generated a great deal of work. San Joaquin Unified Air Pollution Control District has indicated that it takes approximately 453 staff hours to prepare the documentation for one exceptional event and to date these exceptional events total 1,189 staff work days.

Ms. Bauer stated the Arizona Department of Environmental Quality (ADEQ) has submitted the first batch of documentation for July 2, 2011 through July 8, 2011 to the Environmental Protection Agency (EPA) for an informal review and the others still have to be completed. She noted due to the number of exceptional events, the ADEQ has been overwhelmed. Ms. Bauer noted that under the draft exceptional events guidance EPA has approximately 120 days to review each exceptional event and provide initial comments. Once we receive the informal comments from EPA, it will make the next batch easier to prepare. She noted that EPA's has postponed their final guidance until 2012.

Ms. Bauer noted Congress had good intentions when they amended the Clean Air Act in 2005. They recognized there were exceptional events beyond the state's control and Congress envisioned areas not be penalized. Congress also mandated that EPA develop exceptional event rules, which EPA acknowledges are flawed.

Ms. Bauer stated that MAG is working with its Washington, D. C. legal counsel, Crowell and Moring and Patton Boggs, regarding potential legislative remedies on exceptional events. She explained that this work is being done as a result of the extensive work required to document these exceptional events, which then has to be submitted to EPA. Once EPA receives the documentation, it takes a long time to review the documentation and concur or not concur. She noted the main purpose for this draft legislation is to streamline the process and the concept is that states would make the determination of exceptional events after consultation with EPA.

Ms. Bauer stated the exclusions of exceptional events in Section 319 of the Clean Air Act, such as Stagnant Conditions and Lack of Precipitation, are recommended to be eliminated from the Clean Air Act in the draft legislation. She noted that there are other pieces of the legislation that just have definitions rather than definitions and exclusions. In 2009, there was a court ruling that EPA left out of the high winds strategy in the rule and consequently, we tried to define windy conditions in the draft legislation packet. Ms. Bauer stated that the draft legislation has been submitted to ADEQ and Maricopa County Air Quality Department.

Ms. Bauer also noted Representative Reeve has a Five Percent Plan stakeholders group and requested information on how the cities were enforcing their dust control ordinances. Ms. Bauer thanked the twenty-three cities and towns in the non-attainment area for providing the information. She stated that Representative Reeve has asked if anyone has any problems with the ordinances done by the cities or enforcement approach to email her and she will bring the jurisdictions before the stakeholder group.

Chair Hallman asked if there were any questions or comments. Mayor Smith noted that this issue came up in conversation with EPA in October 2011, when he was in Washington, DC. He stated he felt positive that EPA is understanding our concerns and the impact that this has on the region.

Mr. Smith noted that another state that has a common interest is Nevada. He stated staff could contact Tom Skancke, who is with Western High Speed Rail Alliance, and have him talk to Senator Reed and Senator Boxer. Mayor Hallman suggested sending a letter to EPA to address the overwhelming burden EPA has in regulatory revisions.

Chair Hallman asked if there were any other questions or comments. There were none.

8. Annual Performance Review of the MAG Executive Director

Mayor Lopez-Rogers moved that the Executive Committee go into executive session regarding the annual performance review of the MAG Executive Director. Vice Mayor Williams seconded the motion and the motion carried out unanimously.

The Executive Committee reconvened regular session at 1:00 p.m.

9. Request for Future Agenda Items

Chair Hallman asked if there were any requests for future agenda items. There were none.

10. Comments from the Committee

Chair Hallman asked if there were any comments for the committee members. There were no comments.

Adjournment

Vice Mayor Williams moved to adjourn the Executive Committee meeting. Mayor Smith seconded the motion and the motion carried unanimously. There being no further business, the Executive Committee adjourned at 1:02 p.m.

\_\_\_\_\_ Chair

\_\_\_\_\_  
Secretary

# MARICOPA ASSOCIATION OF GOVERNMENTS

## INFORMATION SUMMARY... for your review

**DATE:**

January 10, 2012

**SUBJECT:**

Status Update on the June 30, 2011 Single Audit and Management Letter Comments, MAG's Comprehensive Annual Financial Report and OMB Circular A-133 Reports (i.e., "Single Audit") for the Fiscal Year Ended June 30, 2011

**SUMMARY:**

The accounting firm of LarsonAllen, LLP has completed the audit of MAG's Comprehensive Annual Financial Report (CAFR) and Single Audit for the fiscal year ended June 30, 2011. An unqualified audit opinion was issued on November 16, 2011, on the financial statements of governmental activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information. The independent auditors' report on compliance with the requirements applicable to major federal award programs, expressed an unqualified opinion on the Single Audit. The Single Audit report indicated there were no reportable conditions in MAG's internal control over financial reporting considered to be material weaknesses, no instances of noncompliance considered to be material and no questioned costs. The Single Audit report had no new or repeat findings.

The CAFR financial statements and related footnotes were prepared in accordance with the Government Finance Officers Association's (GFOA) standards for the Certificate of Achievement for Excellence in Financial Reporting awards program. Management intends to submit the June 30, 2011 CAFR to the GFOA awards program for review. If awarded the certificate for the June 30, 2011 CAFR, this would be the agency's 14th consecutive award.

**PUBLIC INPUT:**

None.

**PROS & CONS:**

PROS: MAG is required by its By-Laws and federal regulations to have an audit performed for all major federal programs on an annual basis. The audit must be performed in compliance with the provisions described in the U.S. Office of Management and Budget ("OMB") Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations.

CONS: None.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: LarsonAllen, LLP conducted the audit in accordance with Generally Accepted Auditing Standards (GAAS), and the standards applicable to financial audits contained in the Government Audit Standards, issued by the Comptroller General of the United States and the provisions of OMB Circular A-133. For the year ended June 30, 2011, the audit report indicates that MAG conducted its activities in conformance with the laws and regulations governing federal financial assistance programs and according to Generally Accepted Accounting Principles (GAAP).

POLICY: Pursuant to Article 12, Section 5 of the MAG By-Laws, the annual audit must be presented to the Regional Council.

**ACTION NEEDED:**

Recommend acceptance of the audit opinion issued on the MAG Comprehensive Annual Financial Report and Single Audit Report for the year ended June 30, 2011.

**PRIOR COMMITTEE ACTIONS:**

This item is on the January 11, 2011 MAG Management Committee for recommendation to approve.

**CONTACT PERSON:**

Rebecca Kimbrough, MAG, (602) 254-6300

# MARICOPA ASSOCIATION OF GOVERNMENTS

## INFORMATION SUMMARY... for your review

**DATE:**

January 10, 2012

**SUBJECT:**

Consultant Selection for the MAG Gila Bend Small Area Transportation Study

**SUMMARY:**

The FY 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, includes \$70,000 to conduct the Gila Bend Small Area Transportation Study. The Town of Gila Bend is going to contribute \$5,000 toward the project and Maricopa County Department of Transportation is going to contribute \$20,000, bringing the total cost of the project to \$95,000. The Study will accept and incorporate formally the recommended transportation framework identified in the MAG Interstates 8/10 Hidden Valley Transportation Framework Study as part of the Town of Gila Bend's transportation network. The study will inventory existing conditions, identify deficiencies, forecast needs, develop transportation policy, and identify and analyze alternative solutions that will increase mobility and access for the residents of Gila Bend, regional commuters and freight throughout the Gila Bend Planning Area. The final product of this study is to develop a comprehensive transportation master plan that will guide the development of the town and the region for the future.

The Request for Proposals was advertised on September 13, 2011. Five proposals were received from Civtech, Kimley-Horn, Jacobs, Stantec, and Burgess Niple. A multi-agency proposal evaluation team consisting of MAG member agencies and MAG staff reviewed the proposal documents. On November 14, 2011, the proposal evaluation team recommended to MAG the selection of Kimley-Horn and Associates to conduct the project in an amount not to exceed \$95,000.

**PUBLIC INPUT:**

No public input has been received.

**PROS & CONS:**

PROS: The procurement of consultant services will enable MAG to proceed with the study in a timely manner.

CONS: None

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: The procurement of consultant services will enable MAG to obtain technical expertise in the long-range framework planning process.

POLICY: This study allows MAG to provide the Town of Gila Bend with information they will need to make decisions about land use strategies and development proposals in or near high capacity transportation corridors. The study also provides the Arizona Department of Transportation (ADOT),

the Maricopa County Department of Transportation (MCDOT), and the Federal Highway Administration (FHWA) with information on major transportation corridors in Southwest Maricopa County.

**ACTION NEEDED:**

Approval of the selection of Kimley-Horn and Associates to conduct the Gila Bend Small Area Transportation Study for an amount not to exceed \$95,000.

**PRIOR COMMITTEE ACTIONS:**

This item is on the January 11, 2011 MAG Management Committee for recommendation to approve.

On November 14, 2011, the proposal evaluation team recommended to MAG the selection of Kimley-Horn and Associates to conduct the project in an amount not to exceed \$95,000.

Tim Oliver, Maricopa County Department of Transportation  
Denise Lacey, Maricopa County Department of Transportation  
Eric Fitzer, Town of Gila Bend

Rick Buss, Town of Gila Bend  
Tim Strow, Maricopa Association of Governments  
Bob Hazlett, Maricopa Association of Governments

**CONTACT PERSON:**

Tim Strow, Transportation Planner III, MAG (602) 254-6300.

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

**DATE:**

January 10, 2012

**SUBJECT:**

Consultant Selection to Conduct the MAG Bicycle Count Project

**SUMMARY:**

The Fiscal Year (FY) 2012 MAG Unified Planning Work Program and Annual Budget includes \$96,000 to develop a methodology and conduct a bicycle count in the region. The project will gather data for the bicycle count, which will be incorporated into the MAG Performance Measures, MAG Safety and MAG modeling programs. A Request for Proposals was issued on September 16, 2011. On October 26, 2011, MAG received proposals from Alta Engineering, Inc., Lee Engineering, Inc., e group, inc., and Fehrs & Peers. A multi-agency proposal evaluation team met on November 9, 2011 to review the proposals and recommended to MAG the selection of the firm of Fehrs & Peers to conduct the MAG Bicycle Count Project. On November 15, 2011, the MAG Bicycle and Pedestrian Committee recommended MAG the selection of the firm of Fehrs & Peers to conduct the MAG Bicycle Count Project.

**PUBLIC INPUT:**

None.

**PROS & CONS:**

PROS: This consultant will provide the technical expertise to MAG to provide actual data for four MAG programs including Bicycle Program, Performance Measures, Safety and Modeling.

CONS: None.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: None

POLICY: None

**ACTION NEEDED:**

Approval of the selection of Fehrs & Peers to conduct the MAG Bicycle Count Project for an amount not to exceed \$96,000.

**PRIOR COMMITTEE ACTIONS:**

This item is on the January 11, 2011 MAG Management Committee for recommendation to approve.

On November 15, 2011, the Bicycle and Pedestrian Committee recommended the selection of Fehrs & Peers to conduct the MAG Bicycle Count Project.

MEMBERS ATTENDING

Reed Kempton, Scottsdale, Chair of  
Bicycle and Pedestrian Committee  
Margaret Boone-Pixley, Avondale,  
Vice Chair

- \* Michael Sanders, ADOT
- Tiffany Halperin, ASLA, Arizona Chapter
- \* Robert Wisener, Buckeye
- D.J. Stapley, Carefree
- Chris Mosely for Bob Beane, Coalition of  
Arizona Bicyclists
- Jason Crampton, Chandler
- \* Douglas Strong, El Mirage

Ken Maruyama for Tami Ryall, Gilbert  
Steve Hancock, Glendale  
Joe Schmitz, Goodyear  
Paul Ward for Michael Cartsonis,  
Litchfield Park

- \* Denise Lacey, Maricopa County
- Jim Hash, Mesa
- Brandon Forrey, Peoria
- Katherine Coles, Phoenix
- Dawn Coomer, RPTA
- Karen Savage, Surprise
- \* Eric Iwersen, Tempe

\* Members neither present nor represented by proxy.

# Attended via audio-conference

On November 9, 2011, a multi-agency team met to review the proposals. The review team recommended to MAG the selection of Fehrs & Peers to conduct the MAG Bicycle Count Project.

PROPOSAL EVALUATION TEAM

Reed Kempton, City of Scottsdale  
James Hash, City of Mesa  
Brandon Forrey, City of Peoria  
Eric Iwersen, City of Tempe

Michael Sanders, ADOT  
Jothan Samuelson, MAG  
Maureen DeCindis, MAG

**CONTACT PERSON:**

Maureen DeCindis, Transportation Planner III, 602 254-6300.

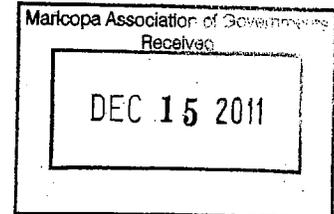


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION IX  
 75 Hawthorne Street  
 San Francisco, CA 94105-3901

OFFICE OF THE  
 REGIONAL ADMINISTRATOR

DEC 09 2011

The Honorable Janice Brewer  
 State of Arizona  
 1700 West Washington  
 Phoenix, Arizona 85007



Dear Governor Brewer:

Thank you for your recommendations dated March 12, 2009 and December 1, 2011 on air quality designations for the revised 2008 National Ambient Air Quality Standards for ozone throughout Arizona. I appreciate the information Arizona shared with the U.S. Environmental Protection Agency as we move forward to improve ozone air quality. The purpose of this letter is to notify you of the U.S. Environmental Protection Agency's preliminary decision to designate the Phoenix area of Arizona as nonattainment for the revised 2008 ozone NAAQS, according to your recommendations, and to inform you of our approach for completing the designations for the revised ozone NAAQS.

On March 12, 2008, the EPA revised its NAAQS for ground-level ozone to provide increased protection of public health and the environment. The EPA lowered the primary 8-hour ozone standard from 0.08 parts per million (ppm) to 0.075 ppm to protect against health effects associated with ozone exposure, including a range of serious respiratory illnesses and increased premature death from heart or lung disease. The EPA revised the secondary 8-hour ozone standard, making it identical to the primary standard, to protect against welfare effects, including impacts on sensitive vegetation and forested ecosystems.

History shows us that better health and cleaner air go hand-in-hand with economic growth. Working closely with the states and tribes, the EPA is implementing the standards using a common sense approach that improves air quality and minimizes the burden on state and local governments. As part of this routine process, EPA is working with the states to identify areas in the country that meet the standards and those that need to take steps to reduce ozone pollution. Within one year after a new or revised air quality standard is established, the Clean Air Act requires the Governor of each state to submit to the EPA a list of all areas in the state, with recommendations for whether each area meets the standard.

As a first step in implementing the 2008 ozone standards, the EPA asked states to submit their designation recommendations, including appropriate area boundaries, by March 12, 2009. In September 2009, the EPA announced it was reconsidering the 2008 ozone standards. The EPA later took steps to delay the designation process for the 2008 ozone standards pending outcome of the reconsideration. However, in September 2011, the Office of Management and Budget returned to EPA the draft final rule addressing the reconsideration of the 2008 standards. On September 22, 2011, the EPA restarted the implementation effort by issuing a memorandum to clarify for state and local agencies the status of the 2008 ozone standards and to outline plans for moving forward to implement them. The EPA indicated that it would proceed with initial area designations for the 2008 standards, and planned to use the recommendations states made in 2009 as updated by the most current, certified air quality data from 2008-2010. While the EPA did not request that

states submit updated designation recommendations, the EPA provided the opportunity for states to do so. Thank you for the December 1, 2011 updated designation recommendation from Arizona based on the assessment of 2008-2010 air quality data.

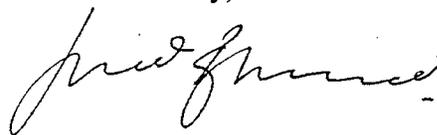
As required by the Clean Air Act, the EPA will designate an area as nonattainment if it is violating the 2008 ozone standards or contributing to a violation of the standards in a nearby area. Consistent with designations for previous ozone standards, the EPA intends to designate an area as unclassifiable/attainment if there are certified, quality-assured air quality monitoring data showing the area is meeting the ozone standards or there are no monitoring data for the area, and the EPA has not made a determination that the area is contributing to a violation in a nearby area.

After considering Arizona's December 1, 2011 ozone designation recommendations, which were based on 2008-2010 air quality data, as well as other relevant technical information, the EPA intends to support Arizona's recommended area designation and boundary for Phoenix-Mesa. The enclosed Technical Support Document provides a detailed analysis to support our preliminary decisions. The EPA intends to designate all other areas of the state as unclassifiable/attainment.

The EPA will continue to work with state officials regarding the appropriate boundary for the Phoenix-Mesa nonattainment area in Arizona. If Arizona has additional information that you would like the EPA to consider, please submit it to us by February 29, 2012. The EPA will also make its preliminary designation decisions and supporting documentation available to the general public for review and comment. We will be announcing a 30-day public comment period shortly in the *Federal Register*. After considering additional information we receive, the EPA plans to promulgate final ozone designations in the spring of 2012.

The EPA is committed to working with the states and tribes to share the responsibility of reducing ozone air pollution. Current and upcoming federal standards and safeguards, including pollution reduction rules for power plants, vehicles and fuels, will assure steady progress to reduce ozone-forming pollution and will protect public health in communities across the country. We look forward to a continued dialogue with you and your staff as we work together to implement the 2008 ozone standards. Should you have any questions, please do not hesitate to contact me or Amy Zimpfer, Associate Director, Air Division, of my staff at 415-947-4146 or [zimpfer.amy@epa.gov](mailto:zimpfer.amy@epa.gov).

Sincerely,



Jared Blumenfeld

Enclosure

cc: Henry Darwin, Director, Arizona Department of Environmental Quality  
Eric Massey, Director, Air Quality Division, Arizona Department of Environmental Quality  
Nancy Wrona, Policy Advisor, Arizona Department of Environmental Quality  
Donald P. Gabrielson, Director, Pinal County Air Quality Control District  
William Wiley, Director, Maricopa County Air Quality Department  
Dennis Smith, Executive Director, Maricopa Association of Governments

cc: (without enclosure)

Clinton Pattea, President, Fort McDowell Yavapai Nation  
Mark Frank, Environmental Specialist, Fort McDowell Yavapai Nation  
Diane Enos, President, Salt River Pima-Maricopa Indian Community  
Daniel Daggett, Acting ENPR Manager, Salt River Pima-Maricopa Indian Community  
Ned Norris, Jr., Chairperson, Tohono O'odham Nation of Arizona  
Lorinda Sam, Environmental Supervisor, Tohono O'odham Nation of Arizona

cc: (via electronic correspondence)

Gina McCarthy, Assistant Administrator for Air and Radiation  
Stephen D. Page, Director, Office of Air Quality Planning and Standards

Technical Support Document for 2008 Ozone NAAQS Designations

**Arizona  
Area Designations for the  
2008 Ozone National Ambient Air Quality Standards**

The table below identifies the areas and associated counties or parts of counties in Arizona that EPA intends to designate as nonattainment for the 2008 ozone national ambient air quality standards (2008 NAAQS). In accordance with section 107(d) of the Clean Air Act, EPA must designate an area “nonattainment” if it is violating the 2008 ozone NAAQS or if it is contributing to a violation of the 2008 ozone NAAQS in a nearby area. The technical analyses supporting the boundaries for the individual nonattainment areas are provided below.

Intended Nonattainment Areas in Arizona

Area	Arizona’s Recommended Nonattainment Counties	EPA’s Intended Nonattainment Counties
Phoenix-Mesa*	Maricopa County (partial) Pinal County (partial)	Maricopa County (partial) Pinal County (partial)

\*The intended Phoenix-Mesa area includes areas of Indian country. Table 1 below identifies the areas of Indian country that EPA intends to designate as part of the nonattainment area.

Designation of a state area may also affect Indian country. Areas of Indian country are located within the boundaries of the counties EPA intends to include as the Phoenix-Mesa nonattainment area. Designation of areas of Indian country is discussed further in the following technical analysis.

EPA intends to designate the remaining counties, portions of counties, and areas of Indian country in Arizona that are not listed in the table above as “unclassifiable/attainment” for the 2008 ozone NAAQS.

The analysis below provides the basis for intended nonattainment area boundaries. It relies on our analysis of which monitors are violating the 2008 ozone NAAQS, based on certified air quality monitoring data from 2008-2010, and an evaluation of whether nearby areas are contributing to such violations. EPA has evaluated contributions from nearby areas based on a weight of evidence analysis considering the factors identified below. EPA issued guidance on December 4, 2008 that identified these factors as ones EPA would consider in determining nonattainment area boundaries and recommended that states consider these factors in making their designations recommendations to EPA<sup>1</sup>:

1. Air quality data (including the design value calculated for each federal reference method (FRM) or federal equivalent method (FEM) monitor in the area);
2. Emissions and emissions-related data (including location of sources and population, amount of emissions and emissions controls, and urban growth patterns);
3. Meteorology (weather/transport patterns);
4. Geography and topography (mountain ranges or other basin boundaries); and
5. Jurisdictional boundaries (e.g., counties, air districts, existing nonattainment areas, Indian country, metropolitan planning organizations (MPOs)).

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<sup>1</sup> The December 4, 2008 guidance memorandum “Area Designations for the 2008 Revised Ozone National Ambient Air Quality Standards” refers to 9 factors. In this technical support document we have grouped the emissions-related factors together under the heading of “Emissions and Emissions-Related Data,” which results in 5 categories of factors.

Ground-level ozone generally is not emitted directly into the air, but is created by chemical reactions between oxides of nitrogen (NO<sub>x</sub>) and volatile organic compounds (VOC) in the presence of sunlight. Because NO<sub>x</sub> and VOC emissions from a broad range of sources over a wide area typically contribute to violations of the ozone standards, EPA believes it is important to consider whether there are contributing emissions from a broad geographic area. Accordingly, EPA chose to examine the 5 factors with respect to the larger of the Combined Statistical Area (CSA) or Core Based Statistical Area (CBSA) associated with the violating monitor(s).<sup>2</sup> All data and information used by EPA in this evaluation are the latest available to EPA and/or the latest information provided to EPA by states or tribes.

In EPA's designations guidance for the 2008 ozone NAAQS, EPA recommended examining CSA/CBSAs because certain factors used to establish CSAs and CBSAs are similar to the factors EPA is using in this technical analysis to determine if a nearby area is contributing to a violation of the 2008 ozone NAAQS. Congress required a similar approach in 1990 for areas classified as serious or above for the 1-hour ozone standard and EPA used the same basic approach in the designation process for the 1997 ozone NAAQS. Where a violating monitor is not located in a CSA or CBSA, EPA's guidance recommended using the boundary of the county containing the violating monitor as the starting point for considering the nonattainment area's boundary. Phoenix-Mesa-Glendale is defined by the Office of Management and Budget (OMB) as a metropolitan statistical area (MSA) and is comprised solely of Maricopa and Pinal Counties. The Phoenix-Mesa-Glendale MSA is not part of a larger CSA or CBSA.

#### **Technical Analysis for Phoenix-Mesa**

Figure 1 is a map of the existing Phoenix-Mesa nonattainment area. The map provides other relevant information including the locations and design values of air quality monitors, county names and boundaries, and indicates EPA's intended nonattainment designation. Also shown is the boundary of the existing area that is designated nonattainment. See Map 1 in Appendix I (also included in Factor 1 below) for a detailed map of the partial county boundaries that EPA intends to use for the nonattainment area boundary.

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<sup>2</sup> Lists of CBSAs and CSAs and their geographic components are provided at [www.census.gov/population/www/metroareas/metrodef.html](http://www.census.gov/population/www/metroareas/metrodef.html). The lists are periodically updated by the Office of Management and Budget. EPA used the most recent update, based on 2008 population estimates, issued on December 1, 2009 (OMB Bulletin No. 10-02).

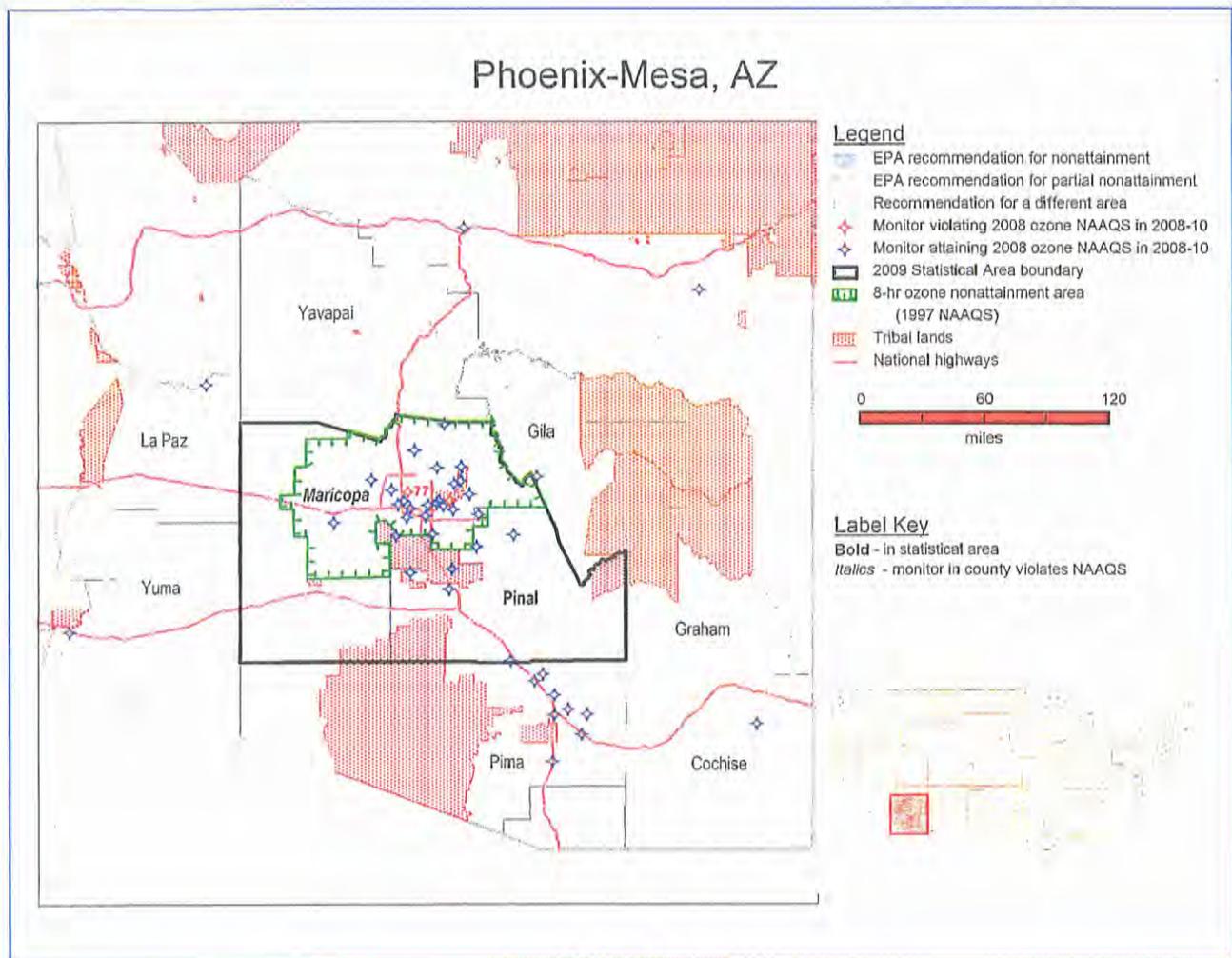


Figure 1

For purposes of the 1997 8-hour ozone NAAQS, portions of Maricopa and Pinal Counties were designated nonattainment. Pinal County was not included in the nonattainment area for the 1-hour ozone NAAQS. However, for the 1997 8-hour ozone NAAQS, EPA designated an area that included the 1-hour nonattainment area and added Apache Junction, a portion of Pinal County. This small city was part of the Phoenix PM<sub>10</sub> (particulate matter greater than 10 micrometers) nonattainment area. The Apache Junction portion of Pinal County was added to the Phoenix 1997 8-hour ozone nonattainment area partly because of its PM<sub>10</sub> nonattainment status, and partly because its population is associated with the greater Phoenix metropolitan area.

In March 2009, Arizona recommended that the same two partial counties, Maricopa and Pinal, be designated as “nonattainment” for the 2008 ozone NAAQS based on air quality data from 2006-2008, and additionally recommended extending the nonattainment boundaries at two locations in Maricopa County, and one location in Pinal County (letter from Janice Brewer, Governor, State of Arizona, to Laura Yoshii, Acting Regional Administrator, U.S. EPA Region IX, March 12, 2009 (hereafter, “ADEQ 2009 Recommendations”). ADEQ updated its 2009 recommendation on December 1, 2011 based on air quality data from 2008-2010 and preliminary data for 2009-2011. In its updated recommendation, the state continued to recommend extending the nonattainment boundary in two locations in Maricopa County, but withdrew its previous recommendation to extend the nonattainment boundary in Pinal County (letter from Henry R. Darwin, Director, Arizona Department of Environmental Quality, to Jared

Blumenfeld, Regional Administrator, U.S. EPA Region IX, December 1, 2011 (hereafter, “ADEQ 2011 Recommendations”). The 2009 and 2011 recommendations are based on data from Federal Equivalent Method (FEM) monitors sited and operated in accordance with 40 CFR Part 58.

In March 2009, the Gila River Indian Community recommended that portions of Gila River lands in Maricopa and Pinal Counties be designated as “attainment” for the 2008 ozone NAAQS (letter from William Rhodes, Governor, Gila River Indian Community, to Laura Yoshii, Acting Regional Administrator, U.S. EPA Region IX, March 11, 2009).

In March 2009, the Salt River Pima-Maricopa Indian Community recommended that portions of Salt River lands in Maricopa County be designated as “attainment/unclassifiable” for the 2008 ozone NAAQS (letter from Martin Harvier, Vice President, Salt River Pima-Maricopa Indian Community, to Laura Yoshii, Acting Regional Administrator, U.S. EPA Region IX, March 9, 2009).

In March 2009, the Tohono O’odham Nation of Arizona recommended that portions of Tohono O’odham lands in Maricopa, Pinal, and Pima Counties be designated as “attainment/unclassifiable” for the 2008 ozone NAAQS (letter from Ned Norris, Chairman, Tohono O’odham Nation, to Laura Yoshii, Acting Regional Administrator, U.S. EPA Region IX, March 11, 2009).

After considering these recommendations and based on EPA's technical analysis described below, EPA intends to designate two partial counties in Arizona and areas of Indian country (identified in Table 1 below) as “nonattainment” for the 2008 ozone NAAQS as the Phoenix-Mesa multi-jurisdictional nonattainment area.

Table 1. State’s and Tribe’s Recommended and EPA’s Intended Designated Nonattainment Counties or Areas of Indian country for Phoenix-Mesa.

Phoenix-Mesa	State and Tribe-Recommended Nonattainment Counties or Areas of Indian country	EPA Intended Nonattainment Counties or Areas of Indian country
Maricopa County	Maricopa County (p)	Maricopa County (p)
Pinal County	Pinal County (p)	Pinal County (p)
Fort McDowell Yavapai Nation	N/A <sup>1</sup>	Fort McDowell Yavapai Nation
Salt River Pima-Maricopa Indian Community	Attainment/unclassifiable	<b>Salt River Pima-Maricopa Indian Community</b>
Tohono O'odham Nation of Arizona <sup>2</sup>	Attainment/unclassifiable	<b>Tohono O'odham Nation of Arizona (p)</b>

p = partial

EPA intended modifications to state or tribe recommendations are shown in **bold**.

<sup>1</sup> Tribe did not submit a recommendation.

<sup>2</sup> Tohono O’odham has non-contiguous land in the intended Phoenix-Mesa nonattainment area, in the intended attainment area portions of Pinal County and the intended attainment area of Pima County. Non-contiguous lands of Tohono O’odham will designated with the surrounding areas. This technical analysis addresses only those areas of Indian country within the intended Phoenix-Mesa nonattainment area.

## Factor Assessment

### *Factor 1: Air Quality Data*

For this factor, we considered 8-hour ozone design values in parts per million (ppm) for air quality monitors in counties in the existing 1997 8-hour ozone Phoenix-Mesa nonattainment area, based on data from the 2008-2010 period (i.e., the 2010 design value, or DV), which are the most recent years with fully-certified air quality data. A monitor's DV is the metric or statistic that indicates whether that monitor attains a specified air quality standard. The 2008 ozone NAAQS are met at a monitor when the annual fourth-highest daily maximum 8-hour average concentration, averaged over 3 years, is 0.075 ppm (75 parts per billion (ppb)) or less. A DV is only valid if minimum data completeness criteria are met. See 40 CFR part 50 Appendix P. Where several monitors are located in a county (or a designated nonattainment area or maintenance area), the DV for the county or area is determined by the monitor with the highest level.

[Note: Monitors that are eligible for providing design value data generally include State and Local Air Monitoring Stations (SLAMS) that are sited in accordance with 40 CFR Part 58, Appendix D (Section 4.1) and operating with a federal reference method (FRM) or federal equivalent method (FEM) monitor that meets the requirements of 40 CFR part 58, appendix A. All data from a special purpose monitor (SPM) using an FRM or FEM which has operated for more than 24 months is eligible for comparison to the NAAQS unless the monitoring agency demonstrates that the data came from a particular period during which the requirements of appendix A (quality assurance requirements) or appendix E (probe and monitoring path siting criteria) were not met.]

The existing Phoenix-Mesa nonattainment area for the 1997 ozone NAAQS comprises the central portion of Maricopa County and a small portion of northern Pinal County (see Map 1a in Appendix 2). The 2010 DVs for the ozone NAAQS for counties in the existing Phoenix-Mesa nonattainment area are shown in Table 2.

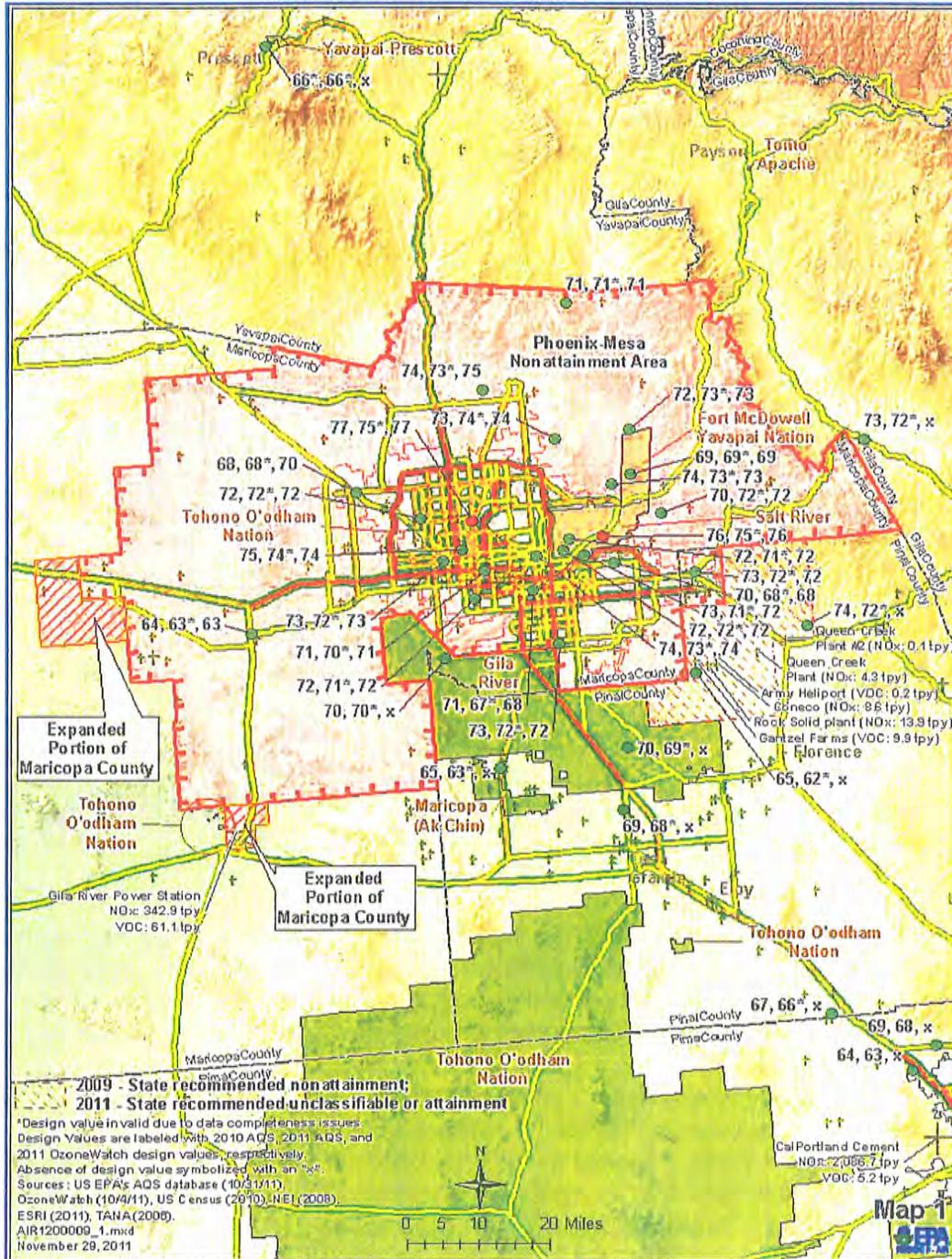
Table 2. Air Quality Data.

County	State Recommended Nonattainment?	2008-2010 Design Value (parts per billion)
Maricopa, AZ	Yes (partial)	77
Pinal, AZ	Yes (partial)	74

Ozone monitors relevant for comparison to the NAAQS and information from additional data sources within the existing Phoenix-Mesa nonattainment area and the surrounding area are shown in Appendix 1, Map 1 (also inserted below). Arizona's ozone season encompasses the entire year, but some ozone monitors in the existing Phoenix-Mesa nonattainment area have been approved to operate on a seasonal schedule per 40 CFR part 58, Appendix D, section 4.1(i). Certified, quality assured data are available in EPA's Air Quality System (AQS) for all areas through calendar year 2010. The Appendix 1 map includes preliminary 2011 DVs for the existing Phoenix-Mesa nonattainment area for informational purposes only. For each monitor, Appendix 1 lists the monitor, the 2008-2010 DV (certified and quality assured in AQS), the preliminary 2009-2011 DV (as available in AQS as of October 31, 2011), and a preliminary 2009-2011 DV using 2011 data from OzoneWatch<sup>3</sup>. Absence of a DV is symbolized with an "x".

<sup>3</sup> The preliminary 2009-2011 design values indicated by OzoneWatch are based on AQS ozone data from 2009, 2010, and 2011, supplemented with 2011 data reported to AirNow (<http://airnow.gov>) on days for which no data currently exist in the

Appendix 3 lists the DVs for monitors in the existing Phoenix-Mesa nonattainment area. Monitors shown in bold are the DV monitors (i.e., the monitor with the highest DV) for each individual county. Monitors shown in red font are the DV monitor for the nonattainment area. Values with an asterisk do not meet data completeness, and therefore those DVs are not relevant for comparison to the NAAQS and are solely provided for informational purposes.



From Appendix 1, Map 1: For map legend describing monitors, emissions, traffic, population, and boundaries, see Appendix 1

AQS database. 2009 and 2010 AQS data were retrieved on July 20, 2011; 2011 AQS and AirNow data were compiled on October 4, 2011. Ultimately, attainment of the 8-hour ozone NAAQS will be determined entirely from data in AQS.

Monitors in Maricopa County show a violation of the 2008 8-hour ozone standard based on 2008-2010 data. These violating monitors are located within the portion of Maricopa County that was included as part of the designated nonattainment area for the 1997 ozone standard. Since the county contains violating monitors, Factor 1 supports including Maricopa County, in whole or in part, in the intended Phoenix-Mesa nonattainment area. A county (or partial county) must also be designated nonattainment if it contributes to a violation in a nearby area. Each county without a violating monitor that is located near a county with a violating monitor has been evaluated based on the weight of evidence of the five factors and other relevant information to determine whether it contributes to the nearby violation (see Factor 2 discussion, below). In addition, we evaluate those factors to determine whether to include all of Maricopa County or just a part within the designated nonattainment area.

## ***Factor 2: Emissions and Emissions-Related Data***

EPA evaluated emissions of ozone precursors, nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC), and other emissions-related data that provide information on areas contributing to violating monitors.

### **Emissions data**

EPA evaluated county-level emission data for NO<sub>x</sub> and VOC derived from the 2008 National Emissions Inventory (NEI), version 1.5. This is the most recently available NEI (see <http://www.epa.gov/ttn/chief/net/2008inventory.html>). Emissions in a nearby area indicate the potential for the area to contribute to observed violations. We will also consider any additional information we receive on changes to emissions levels that are not reflected in recent inventories. These changes include emissions reductions due to permanent and enforceable emissions controls that will be in place before final designations are issued and emissions increases due to new sources.

Table 3 shows emissions of NO<sub>x</sub> and VOC (given in tons per year) for Maricopa and Pinal Counties.

Table 3. Total 2008 NO<sub>x</sub> and VOC Emissions.

County	State Recommended Nonattainment?	NO <sub>x</sub> (tpy)	VOC (tpy)
Maricopa, AZ	Yes (partial)	89,020	90,615
Pinal, AZ	Yes (partial)	11,668	11,531
Areawide:		100,688	102,146

Maricopa and Pinal Counties, with an area of approximately 9,200 square miles and 5,366 square miles, respectively, are among the largest counties in the nation, and, aside from the urban core, are comprised entirely of desert terrain. Emissions of ozone precursors shown in Table 2 represent emissions from the entire counties of Maricopa and Pinal, not just the portions of those counties recommended by the state for inclusion in the Phoenix-Mesa nonattainment area. Emissions of NO<sub>x</sub> and VOC from Maricopa County are nearly eight times larger than NO<sub>x</sub> and VOC emissions from Pinal County. Most of the stationary source emissions of ozone precursors are located in the center of the state-recommended nonattainment area (see Map 1 of Appendix 1), with additional stationary sources scattered in the western portion of the state-recommended nonattainment area of Maricopa County, and fewer stationary sources in the eastern and northern portions of the state-recommended nonattainment area of Maricopa County. Additional stationary sources are located in the small section of Pinal County that is included in the existing Phoenix-Mesa 1997 ozone nonattainment area. Numerous stationary sources are located in Pinal County outside of EPA's intended boundary for the Phoenix-Mesa nonattainment area, but are

widely scattered and generally located near roadways. In 2009, the state recommended expanding the existing ozone nonattainment area in the southwest portion of the area, in order to include the Gila River Power Station (see Map 1 of Appendix 1). Additionally, the state recommended extending the western boundary of the nonattainment area farther west into Maricopa County by 5 - 10 miles. This expansion incorporates a small (less than 100 tpy) power plant. In its updated recommendation submitted to EPA on December 1, 2011, the state continued to recommend extending the nonattainment boundary to incorporate these two areas of Maricopa County.

In 2009, the state had also recommended that the existing 1997 ozone nonattainment boundary be extended to the southeast to incorporate a larger portion of Pinal County. In 2011, the state's updated recommendation excluded this area. Several small (less than 15 tpy of NO<sub>x</sub> or VOC) stationary sources of ozone precursor emissions are located in this area of Pinal County (see Map 1 of Appendix 1). These sources are more widely distributed geographically compared to the small portion of Pinal County that is part of the existing 1997 ozone nonattainment area.

In its February 2009 redesignation request and maintenance plan for the 1997 8-hour ozone NAAQS, the state provided information on the proportion of point source emissions from the entire county of Maricopa County compared to the those from the existing (for the 1997 ozone NAAQS) ozone nonattainment area<sup>4</sup>. Based on its 2005 periodic emission inventory, the state determined that the existing ozone nonattainment area, comprised of portions of Maricopa and Pinal counties, captured the majority of point sources of emissions from Maricopa County – the county that contributes dominantly to total emissions from Maricopa and Pinal counties (see Table 3). For 2005, the existing ozone nonattainment area represented 99% of VOC emissions from Maricopa County, and nearly 87% of NO<sub>x</sub> emissions from Maricopa County. The state's recommendation to expand the Maricopa County portion of the nonattainment area to encompass new sources of ozone precursor emissions to the west and southwest of the existing nonattainment area should continue to ensure that relevant emissions sources are included in the nonattainment area designation.

### **Population density and degree of urbanization**

EPA evaluated the population and vehicle use characteristics and trends of the area as indicators of the probable location and magnitude of non-point source emissions. These include ozone-creating emissions from on-road and off-road vehicles and engines, consumer products, residential fuel combustion, and consumer services. Areas of dense population or commercial development are an indicator of area source and mobile source NO<sub>x</sub> and VOC emissions, which contribute to ozone formation. Rapid population or growth in vehicle miles traveled (VMT) (see below) in a county on the urban perimeter signifies increasing integration with the core urban area, and indicates that it may be appropriate to include the area associated with area source and mobile source emissions as part of the nonattainment area. Table 4 shows the population, population density, and population growth information for Maricopa and Pinal Counties.

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<sup>4</sup> See March 23, 2009 submittal of the 8-hour ozone redesignation request and maintenance plan for the Maricopa nonattainment area from Patrick Cunningham, Acting Director, ADEQ to Laura Yoshii, Acting Regional Administrator, EPA Region IX.

Table 4. Population and Growth.

County	State Recommended Nonattainment?	2010 Population	2010 Population Density (1000 pop/sq mi)	Absolute change in population (2000-2010)	Population % change (2000-2010)
Maricopa, AZ	Yes (partial)	3,817,117	0.41	719,617	+23%
Pinal, AZ	Yes (partial)	375,770	0.07	194,494	+107%
Areawide:		4,192,887	0.29	914,111	+28%

Sources: U.S. Census Bureau population estimates for 2010 as of August 4, 2011

([http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=DEC\\_10\\_PL\\_GCTPL2.STO5&prodType=table](http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=DEC_10_PL_GCTPL2.STO5&prodType=table))

Population information shown in Table 4 represents all of Maricopa and Pinal Counties, not just the portions of those counties recommended by the state for inclusion in the 2008 ozone Phoenix-Mesa nonattainment area. Similar to the stationary source emissions of ozone precursors, the population of Maricopa County is substantially larger and denser than Pinal County. Although the percent change in population over 2000-2010 in Pinal County was very large (107%), its absolute change in population was still much smaller than Maricopa County's – less than a third. The largest population centers are located in Maricopa County (see Map 1a in Appendix 2). The eastern portion of the Phoenix metropolitan area extends into the Apache Junction portion of Pinal County and is included in the existing nonattainment area, as well as the state's recommended nonattainment area. Aside from the urbanized Phoenix area, the rest of both Maricopa and Pinal Counties are sparsely populated. The portion of Pinal County, which was included in the state's 2009 recommendation but excluded in the 2011 recommendation, contains a few population centers, but is generally more sparsely populated compared to Apache Junction, the portion of Pinal County that is part of the existing 1997 ozone nonattainment area.

In its February 2009 redesignation request and maintenance plan for the 1997 8-hour ozone NAAQS, the state also provided information on populations within the existing 1997 ozone nonattainment area and Maricopa County – the county that contributes dominantly to total emissions from Maricopa and Pinal Counties. Based on 2004 demographic data, the resident and non-resident populations within the existing ozone nonattainment area were 100.52% and 109.09% of the resident and non-resident populations of Maricopa County, respectively. Therefore, in 2004, the population of the existing 1997 ozone nonattainment area (consisting of portions of Maricopa and Pinal Counties) was greater than the population of Maricopa County.

#### **Traffic (VMT) data**

EPA evaluated the commuting patterns of residents in the area, as well as the total VMT for each county. In combination with the population/population density data and the location of main transportation arteries (see above), this information helps identify the probable location of non-point source emissions. A county with high VMT is generally an integral part of an urban area and indicates the presence of motor vehicle emissions that may contribute to ozone formation and nonattainment in the area. Rapid population or VMT growth in a county on the urban perimeter signifies increasing integration with the core urban area, and indicates that the associated area source and mobile source emissions may be appropriate to include in the nonattainment area. Table 5 shows total 2008 VMT for Maricopa and Pinal Counties.

Table 5. Traffic (VMT) data.

County	State Recommended Nonattainment?	2008 VMT* (million miles)
Maricopa, AZ	Yes (partial)	33,393
Pinal, AZ	Yes (partial)	3,972
Areawide:		37,365

\*MOBILE model VMTs are those inputs into the NEI version 1.5.

The total 2008 VMT in Maricopa County was over 8 times higher than the 2008 VMT in Pinal County. The highest non-truck traffic volume occurs within the population centers located in the Maricopa County portion of the nonattainment area, with some heavy traffic on roads that run south, north, and to a lesser extent, west from the population centers (see Map 1 of Appendix 1).

### ***Factor 3: Meteorology (weather/transport patterns)***

EPA evaluated available meteorological data to help determine how meteorological conditions, such as weather, transport patterns and stagnation conditions would affect the fate and transport of precursor emissions contributing to ozone formation.

Maricopa and Pinal Counties lie in a hot desert area of Arizona, where summer temperatures regularly exceed 100 degrees F. In the absence of the strong winds associated with summer storms that sometimes occur in the area, the high temperatures are conducive to ozone formation. ADEQ has described the basic flow pattern that results in “sloshing” of pollutant towards the west, and then later in the day back toward the east:

“The mountain-valley flow defines the daily surface wind patterns in the Phoenix area in the absence of synoptic weather systems with associated cold fronts. As a result, Phoenix has a typical diurnal wind pattern that exists nearly year-round due to its geographical position within the valley. ... When the sun rises over the Superstitions in the east, the east-facing mountains in the west valley such as the White Tank Mountains begin to heat up. As the morning progresses, an energy imbalance is created where the warmer air over the White Tank Mountains rises while the cooler air over the east mountains such as the Superstition mountains sinks. This causes the surface winds across the valley to move from east to west.... By about 2 p.m., the mountains in the east part of the valley have more direct sunlight than the west. This imbalance in energy leads to a shift in surface winds from out of the west during the afternoon period. As the sun goes down, equal cooling takes place and winds decrease to nearly calm.”<sup>5</sup>

While the mountains to east and west provide partial barriers to transport of pollutants in certain directions (especially the northeast), they do not form a closed basin. There is opportunity for emissions from outside the immediate metropolitan Phoenix area to contribute to ozone formation. “Wind patterns in Phoenix suggest that ozone and ozone precursors can be transported in the morning from the far west and southern portions of the valley and impact monitors in the Phoenix valley.”<sup>6</sup> In recognition of this, the state recommended extending the boundaries of the previous ozone nonattainment area. The recommendation included several new point sources to the west and southwest, as discussed above under Factor 2.

<sup>5</sup> ADEQ 2009 Recommendations, p.44-45

<sup>6</sup> ADEQ 2009 Recommendations, p.42

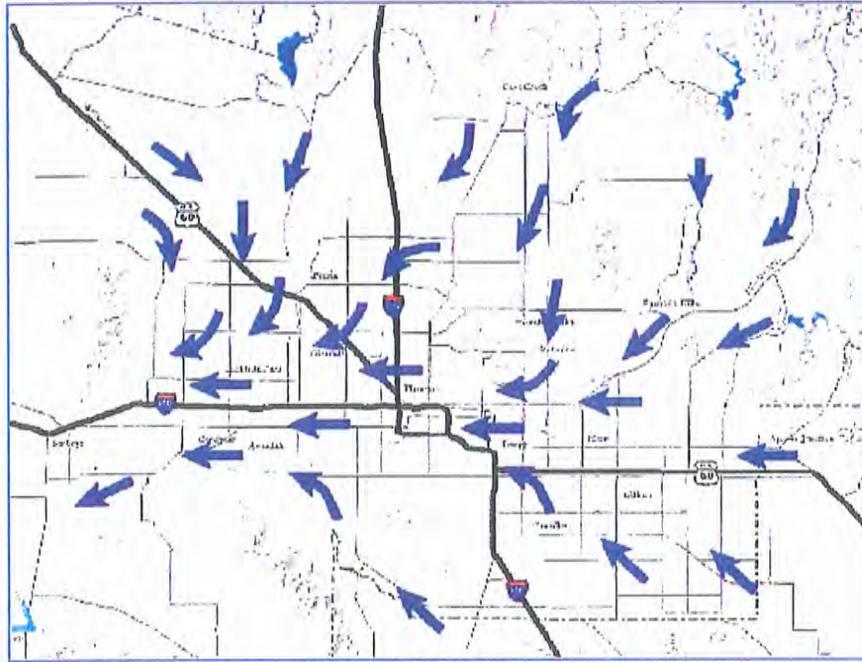


Figure 2

Source: ADEQ 2009 Recommendations, p.54 Figure III.36: “High mountain slopes to the west of Phoenix are heated in the morning and surface air is drawn towards the west.”

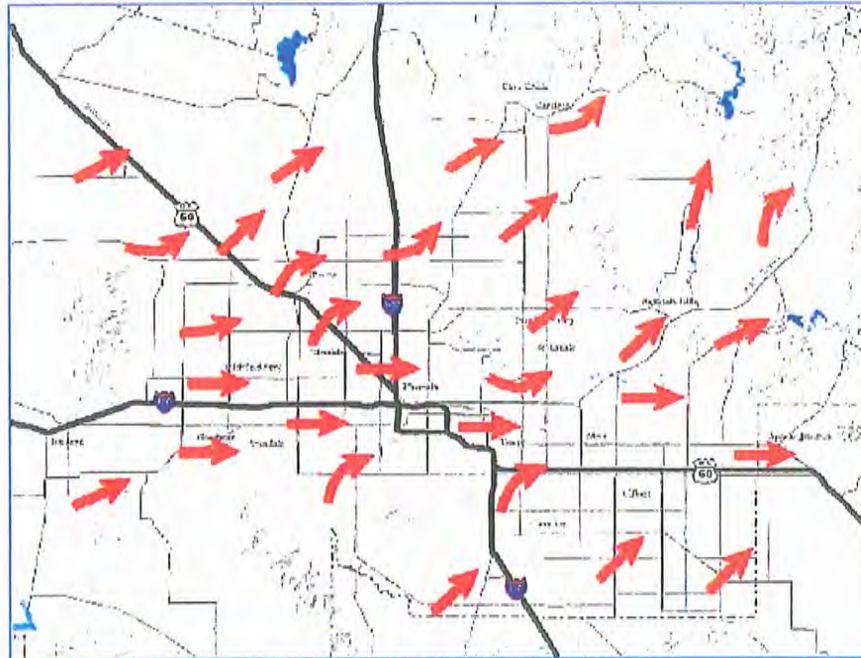


Figure 3

Source: ADEQ 2009 Recommendations, p.54 Figure III.37: “High mountain slopes to the east of Phoenix are heated in the late afternoon and surface air is drawn towards the east.”

The west-east flow pattern is generally consistent with the 30-year average of National Weather Service summer wind direction frequencies computed by EPA, as shown in the “radar”-style wind rose diagram below (Figure 4).

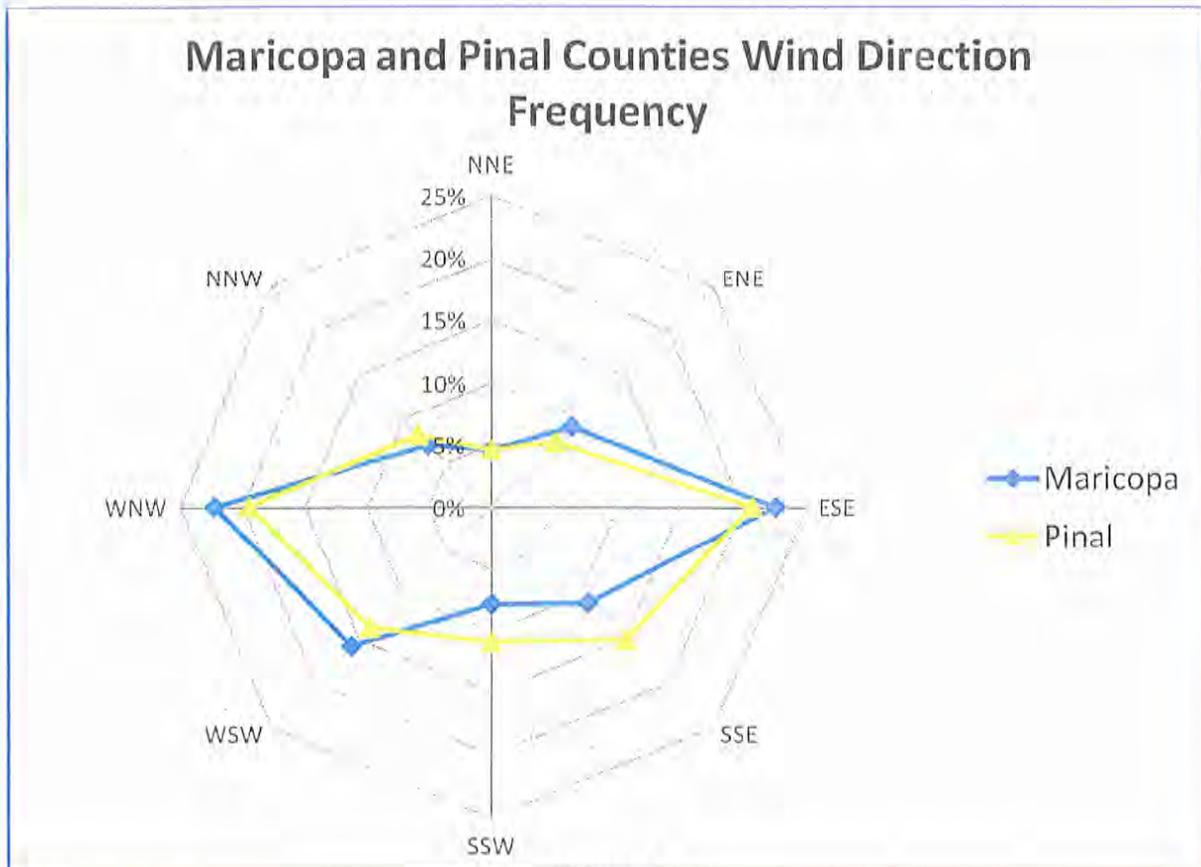


Figure 4

***Factor 4: Geography/topography (mountain ranges or other air basin boundaries)***

The geography/topography analysis evaluates the physical features of the land that might affect the airshed and, therefore, the distribution of ozone over the area.

The Phoenix-Mesa area is partly surrounded by mountains of varying heights. As described by the state:

“The Phoenix metropolitan area lies in a valley bordered by the Superstition Mountains to the east, the New River Mountains to the north and northeast, the Hieroglyphic Mountains to the northwest near Lake Pleasant, the White Tank Mountains in the west, the Estrella Mountains to the southwest, and the South Mountains to the south. The Salt River runs through the southern part of the metropolitan area and exits to the southwest with the Gila and Agua Fria Rivers joining it near Goodyear, and the Hassayampa River joining west of Palo Verde.”<sup>7</sup>

While the mountains to the east and west provide partial barriers to transport of pollutants in certain directions (especially the northeast), they do not form a closed basin. There is opportunity for emissions from outside the immediate metropolitan Phoenix area to contribute to ozone formation. “Wind patterns in Phoenix suggest that ozone and ozone precursors can be transported in the morning from the far west and southern portions of the valley and impact monitors in the Phoenix valley.”<sup>8</sup> In recognition of this,

<sup>7</sup> ADEQ 2009 Recommendations, p.44

<sup>8</sup> ADEQ 2009 Recommendations, p.42

the state recommended a nonattainment area which incorporates source areas that are relatively far from central metropolitan Phoenix and the highest ozone concentrations.

### ***Factor 5: Jurisdictional boundaries***

For each potential nonattainment area, we considered existing jurisdictional boundaries to provide a clearly defined legal boundary and to help identify the areas appropriate for carrying out the air quality planning and enforcement functions for nonattainment areas. Examples of jurisdictional boundaries include existing/prior nonattainment area boundaries for ozone or other urban-scale pollutants, county lines, air district boundaries, township boundaries, areas covered by a metropolitan planning organization, state lines, areas of Indian country, and urban growth boundaries. Where existing jurisdictional boundaries were not adequate or appropriate to describe the nonattainment area, other clearly defined and permanent landmarks or geographic coordinates were considered.

The Phoenix-Mesa intended nonattainment area has previously established nonattainment boundaries associated with both the 1-hour and 1997 8-hour ozone NAAQS. The boundary of the Phoenix nonattainment area for the 1997 ozone NAAQS includes a large portion of Maricopa County and a small portion of Pinal County (Apache Junction). The state has recommended a slightly different boundary for the 2008 ozone NAAQS. The state has requested that EPA expand the boundary of the nonattainment area for the 2008 ozone NAAQS, relative to the boundary established for the 1997 ozone NAAQS.

The Phoenix-Mesa-Glendale metropolitan statistical area (MSA) is comprised solely of Maricopa and Pinal Counties. The Phoenix-Mesa-Glendale MSA is not part of a combined statistical area (CSA). The majority of the urban area lies mainly in Maricopa County, with a portion of the eastern urbanized area extending into Pinal County. The Maricopa Association of Governments (MAG), a metropolitan planning organization (MPO), has jurisdiction of both air and transportation planning for the metropolitan area. Together, Maricopa and Pinal counties comprise the Phoenix-Mesa-Glendale Metropolitan Statistical Area.<sup>9</sup> The cities of Phoenix, Mesa and Glendale are entirely contained within Maricopa County. But, as noted above, the urbanized area extends into Pinal County.

The Maricopa County partial county boundary, for both the recommended area and the existing nonattainment area for the 1997 ozone NAAQS, follows the county boundary to the north, east and southeast (excluding Gila River Indian Community, see discussion below, and including a small portion of Pinal County that bounds the eastern edge of the Phoenix-Mesa urbanized area). The boundaries for this area are consistent with MAG's north, east, and southeast planning area boundaries. To the west and southwest, the ozone nonattainment area boundary follows township and range boundaries in a way that encompasses stationary and mobile sources and population centers. MAG defined an "Area A" for air pollution control purposes in the past, mainly associated with dust controls and other restrictions (e.g., no-burn days). Area A became part of the 1-hour ozone as well as the 1997 8-hour ozone nonattainment area. Area A is bounded to the west by township and range boundaries. For the western and southwestern boundaries for the designated Phoenix-Mesa nonattainment area for the 2008 ozone NAAQS, the state recommended including the entire existing area and two expanded areas in the east and south. This includes all of Area A, several township and ranges on the west that were included in prior ozone designations (for 1-hour and the 1997 8-hour ozone NAAQS), and several newly added

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<sup>9</sup> The Office of Management and Budget names such areas in decreasing ranking of populated areas within the MSA. Phoenix is therefore larger than Mesa, which is larger than Glendale.

township and range areas to the west and to the southwest. The state recommended these expanded boundaries because there are several large stationary sources located in those areas (e.g., power plants).

In 2009, the state recommended expanding the Pinal County portion of the existing ozone boundary to encompass a violating monitor and a planned power plant. However, on December 1, 2011, in an update to its 2009 recommendation, the state reverted to the existing Pinal partial county boundary, which includes only the Apache Junction portion. The state explained that more recent air quality monitoring in the formerly recommended area shows the previously violating monitor is now attaining the standard. In addition, economic conditions put the development of a power plant in the area in doubt.

The Phoenix-Mesa intended nonattainment area also includes an area of Indian country. As defined at 18 U.S.C. 1151, "Indian country" refers to: "(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same." EPA recognizes the sovereignty of tribal governments, and has attempted to take the desires of the tribes into account in establishing appropriate nonattainment area boundaries.

### ***Evaluation of Recommendation from Gila River Indian Community***

Pursuant to section 107(d) of the Clean Air Act, EPA must designate as nonattainment those areas that violate the NAAQS and those areas that contribute to violations. EPA has evaluated the recommendation of the Gila River Indian Community (Gila River) based on currently available information.

In 1999, 2000, and 2003, Gila River recommended that their reservation lands in Maricopa and Pinal Counties be designated as "unclassifiable" for the 1997 ozone NAAQS (letter from Mary Thomas, Governor, Gila River Indian Community, to Felicia Marcus, Regional Administrator, U.S. EPA Region IX, September 2, 1999; Letter from Donald Antone, Governor, Gila River Indian Community, to Felicia Marcus, Regional Administrator, U.S. EPA Region IX, October 31, 2001; Letter from Richard Narcia, Governor, Gila River Indian Community, to Wayne Nāstri, Regional Administrator, U.S. EPA Region IX, July 3, 2003).

In 2003, EPA indicated that we agreed with the Gila River's recommendations and intended to designate the geographic area covered in those recommendations as attainment/unclassifiable (letter from Wayne Nāstri, Regional Administrator, U.S. EPA Region IX, to Richard Narcia, Governor, Gila River Indian Community, December 3, 2003).

In 2004, EPA established the Phoenix-Mesa nonattainment area boundaries for the 1997 ozone NAAQS that excluded the portions of Maricopa and Pinal Counties that encompass the Gila River.

In March 2009, Gila River again recommended that portions of Gila River in Maricopa and Pinal Counties be designated as "attainment" for the 2008 ozone NAAQS (letter from William Rhodes, Governor, Gila River Indian Community, to Laura Yoshii, Acting Regional Administrator, U.S. EPA Region IX, March 11, 2009).

Gila River is a federally recognized tribe with reservation lands in Maricopa and Pinal Counties. The majority of the tribal land is located in Pinal County and has not been subject to urbanization and is mainly a rural environment with two main population centers in St. Johns and Sacaton and over 35,000 acres of agricultural lands. Gila River has an on-reservation population of approximately 22, 000 people. These population centers are not integrated within the Phoenix metropolitan area and pale in comparison to the 3,800,000 people living in the adjacent Maricopa County. Also, The South Mountains to the north and the Estrella mountains in the west may provide some geographical and topographic barriers between the Phoenix-Mesa nonattainment area and the majority of Gila River reservation lands. These areas of Indian country and the adjacent proposed Phoenix-Mesa nonattainment areas are shown in Map 1a in Appendix 2.

Currently, Gila River operates a network of two ozone monitors within the tribal boundaries that represent both the northwestern and the central portions of the Gila River lands. The map in Appendix 1 shows monitor locations for the Phoenix-Mesa nonattainment area, including Gila River monitors. EPA anticipates relying on 2008-2010 data to designate this area. Appendix 1 provides preliminary 2011 data for informational purposes only. Based on the information currently available, both monitors operated by Gila River in their area of Indian country indicate that the area is attaining the 2008 ozone NAAQS for 2008-2010.

Based on the low population, the largely rural environment, the presence of some topographical barriers, and air quality data, EPA continues to agree that that the Gila River areas of Indian country have different ozone concentrations than surrounding areas and are not affected by the poor air quality present in the Phoenix-Mesa nonattainment area. Therefore, the portions of Gila River lands located in Maricopa and Pinal Counties should be excluded from the Phoenix-Mesa nonattainment area and designated unclassifiable/attainment, consistent with the designation of the adjacent areas in Pinal County.

### ***Evaluation of Recommendation from Tohono O’odham Nation of Arizona***

Pursuant to section 107(d) of the Clean Air Act, EPA must designate as nonattainment those areas that violate the NAAQS and those areas that contribute to violations. EPA has evaluated the recommendation of the Tohono O’odham Nation of Arizona (Tohono O’odham) based on currently available information.

In 2004, EPA established the Phoenix-Mesa nonattainment area boundaries for the 1997 ozone NAAQS. This nonattainment area did not include portions of Maricopa County that encompass non-contiguous reservation lands of Tohono O’odham.

In March 2009, Tohono O’odham recommended that the portions of Tohono O’odham in Maricopa, Pinal, and Pima Counties be designated as “attainment/unclassifiable” for the 2008 ozone NAAQS (letter from Ned Norris, Chairman, Tohono O’odham Nation, to Laura Yoshii, Acting Regional Administrator, U.S. EPA Region IX, March 11, 2009).

Tohono O’odham is a federally recognized tribe with non-contiguous reservation land in Maricopa, Pinal, and Pima Counties. These areas of Indian country and the surrounding proposed nonattainment areas are shown on Map 1a in Appendix 2. The majority of the Tribe’s reservation lands are located in Pinal and Pima counties, outside of the intended Phoenix-Mesa nonattainment area. However, some areas of Indian country taken into trust by the U.S.

Department of Interior for the Tribe in 2010 are located near Glendale, Arizona, which is about nine miles northwest of downtown Phoenix and near the center of the intended Phoenix-Mesa nonattainment area<sup>10</sup>. There are no geographic or topographical barriers that preclude air pollution transport from the surrounding intended Phoenix-Mesa nonattainment area. Based upon currently available information, it appears that these areas of Indian country are affected by the poor air quality that exists within the intended Phoenix-Mesa nonattainment area. Therefore, while the Tribe has recommended “attainment/unclassifiable” for all areas of Indian country, EPA intends to include the portions of Tohono O’odham lands located in Maricopa County (specifically, areas of Indian country located near Glendale, Arizona) as part of the Phoenix-Mesa nonattainment area. The remaining lands located in Pinal and Pima Counties are not contiguous and EPA intends to designate these lands as unclassifiable/attainment, consistent with the designation of the surrounding area.

### ***Evaluation of Recommendation from Salt River Pima-Maricopa Indian Community***

Pursuant to section 107(d) of the Clean Air Act, EPA must designate as nonattainment those areas that violate the NAAQS and those areas that contribute to violations. EPA has evaluated the recommendation of the Salt River Pima-Maricopa Indian Community (Salt River) based on currently available information.

In 2004, EPA established the Phoenix-Mesa nonattainment area boundaries for the 1997 ozone NAAQS that included portions of Maricopa County that encompass Salt River.

In March 2009, the Salt River Pima-Maricopa Indian Community recommended that portions of Salt River in Maricopa County be designated as “attainment/unclassifiable” for the 2008 ozone NAAQS (letter from Martin Harvier, Vice President, Salt River Pima-Maricopa Indian Community, to Laura Yoshii, Acting Regional Administrator, U.S. EPA Region IX, March 9, 2009). Based on the factors discussed below, EPA has preliminarily concluded that Salt River lands should be designated nonattainment as part of the Phoenix-Mesa nonattainment area for the 2008 ozone NAAQS.

### **Air Quality Data**

Currently, Salt River operates a network of four ozone monitors within the tribal boundaries. Map 1 in Appendix 1 shows monitor locations for the Phoenix-Mesa nonattainment area, including Salt River monitors. For each monitor, Appendix 1 lists the monitor, the 2008-2010 design value (DV), the preliminary 2009-2011 DV (as available in AQS as of October 31, 2011), and a preliminary 2009-2011 DV using 2011 data from OzoneWatch.<sup>11</sup> Values with an asterisk do not meet data completeness, and therefore those DVs are not relevant for comparison to the

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<sup>10</sup> On June 23, 2010 the U.S. Department of Interior (DOI) approved a request from the Tohono O’odham Nation to take 53.54 acres of land held in fee by the Tribe and located in Maricopa County, AZ near Glendale, into trust (75 FR 21130). DOI made this approval pursuant to the *Gila Bend Indian Reservation Lands Replacement Act, P.L. 99-503, Stat 100 1798 (1986), Section 6(d)*, which mandates the following: “Any land which the Department of Interior holds in trust for the Tribe shall be deemed to be a Federal Indian Reservation for all purposes.” EPA is designating this trust land along with the surrounding Phoenix nonattainment area. EPA notes that it is not making any determination on the Tribe’s Reservation boundary through this designation process.

<sup>11</sup> The preliminary 2009-2011 design values indicated by OzoneWatch are based on AQS ozone data from 2009, 2010, and 2011, supplemented with 2011 data reported to AirNow (<http://airnow.gov>) on days for which no data currently exist in the AQS database. 2009 and 2010 AQS data were retrieved on July 20, 2011; 2011 AQS and AirNow data were compiled on October 4, 2011. Ultimately, attainment of the 8-hour ozone NAAQS will be determined entirely from data in AQS.

NAAQS and are solely provided for informational purposes. Absence of a DV is indicated with an "x." EPA plans to designate Arizona for the 2008 ozone NAAQS using certified 2008-2010 DV data; preliminary 2011 data are provided for informational purposes.

Based on the information currently available, the Red Mountain ozone monitor (AQS ID: TT6157021; see Appendix 3) operated by Salt River on tribal lands has a 2008-2010 8-hour design value of 0.076 ppm, which constitutes a violation of the 2008 ozone NAAQS.

### **Emissions and Emissions-Related Data**

Salt River consists of 54,000 acres of reservation lands, which is home to over 10,000 tribal members. Salt River has some emissions sources within the tribal boundaries, including aggregate mining facilities, asphalt and concrete batch plants, and landfills. Also, two major roadways, the Pima Loop 101 (Highway 101- Pima Freeway) and the Beeline Highway (Arizona Highway 87), pass through Salt River.

General information on emissions, population density and degree of urbanization, traffic and commuting patterns for the Phoenix-Mesa nonattainment area can be found in the general intended Phoenix-Mesa nonattainment area Factor 2 discussion above and is applicable to Salt River. We do not have independent information solely for the Salt River reservation lands.

### **Meteorology (Weather/Transport Patterns)**

Salt River is fairly integrated within the surrounding urban area and therefore the information for the intended Phoenix-Mesa nonattainment area discussed in Factor 3 also characterizes the meteorology and transport patterns for Salt River.

### **Geography/Topography**

Salt River area does not have any geographical or topographical barriers that would prevent air pollution transport from the surrounding intended Phoenix-Mesa nonattainment area. Therefore, geography and topography support including Salt River with the surrounding area.

### **Jurisdictional Boundaries**

Salt River is a federally recognized tribe located in the eastern portion of the Phoenix metropolitan area. Map 1a shows the locations and boundaries of Indian country within the intended Phoenix-Mesa nonattainment area.

### **Conclusion for Salt River**

While Salt River has recommended an attainment/unclassifiable designation, based on the information currently available and the five factor analysis above, including information concerning a violating monitor on reservation lands, EPA has preliminarily concluded that Salt River should be designated nonattainment as part of the Phoenix-Mesa nonattainment area for the 2008 ozone NAAQS.

## **Conclusion**

Based on the assessment of factors described above, EPA has preliminarily concluded that the following counties and areas of Indian country should be included as part of the Phoenix-Mesa nonattainment area because they are either violating the 2008 ozone NAAQS or contributing to a violation in a nearby area: Maricopa County (partial), Pinal County (partial), the Salt River-Pima Maricopa Indian Community, and the Tohono O'odham Nation of Arizona (partial).

Based on 2008-2010 DV data (Factor 1), Maricopa County contains two violating monitors and Pinal County does not contain any violating monitors. Consideration of only air quality data and the location of violating monitors indicates that all or part of Maricopa County should be included in the 2008 8-hour ozone nonattainment area.

Emissions of ozone precursors (Factor 2) from Maricopa County are over ten times larger than from Pinal County. The state's partial boundary recommendations for Maricopa and Pinal Counties include the dense population centers and roadways, as well as the majority of the stationary sources of ozone precursor emissions in Maricopa and Pinal Counties. Maricopa and Pinal Counties are geographically large. Outside of the densely populated urban Phoenix core, these counties are sparsely populated with relatively few stationary and mobile sources of ozone precursor emissions. The distribution of stationary and mobile emission sources (Factor 2) and information provided by the state in its redesignation request and maintenance plan for the 1997 8-hour ozone NAAQS – indicating that the majority of emissions in Maricopa County are well represented by the 1997 ozone nonattainment area – supports the state's recommendation to use the existing 1997 8-hour ozone nonattainment boundary while also expanding the boundaries in Maricopa County to encompass additional stationary sources located to the west and southwest. Because Pinal County contributes a small fraction to total ozone precursor emissions from Maricopa and Pinal Counties, and because stationary and mobile sources in Pinal County, outside the state-recommended nonattainment area, are widely distributed throughout the large county area, Factor 2 supports the state's recommendation to maintain the existing 1997 8-hour ozone nonattainment boundary around the Apache Junction area.

Meteorology and weather or transport patterns (Factor 3) and geography and topography (Factor 4) show that there is the potential for some contribution to ozone violations from emissions occurring toward the southeast, in Pinal County. In considering jurisdictional boundaries (Factor 5), EPA notes that the state's recommended nonattainment area boundaries expands the Maricopa County portion of the nonattainment area, but is otherwise consistent with the 1997 8-hour ozone nonattainment area.

Based on our analysis of all five factors, EPA supports the state's recommendation for the nonattainment area boundary in Maricopa and Pinal Counties.

Three tribes located within or near the boundaries of the Phoenix-Mesa intended nonattainment area submitted recommendations to EPA. EPA has preliminarily concluded that the portions of Gila River located in Maricopa and Pinal counties should be excluded from the intended Phoenix-Mesa nonattainment area and designated unclassifiable/attainment based on air quality data, the low population, the largely rural environment, and the presence of some topographical barriers. Based upon currently available information, it appears that the portions of Tohono O'odham located in Maricopa County are affected by the poor air quality. Therefore, EPA has preliminarily concluded that the portions of Tohono O'odham located in Maricopa County (specifically, areas of Indian country located in Glendale, Arizona) should be included as part of the intended Phoenix-Mesa nonattainment area. Because the remaining portions of Tohono O'odham are non-contiguous and are not located within

EPA's intended nonattainment area for the 2008 ozone NAAQS, EPA intends to designate the portions of Tohono O'odham located in Pinal and Pima Counties as unclassifiable/attainment consistent with the surrounding areas. EPA has also preliminarily concluded that Salt River should be designated nonattainment as part of the intended Phoenix-Mesa nonattainment area for the 2008 ozone NAAQS, due to a violating monitor on tribal lands and consideration of other factors discussed above.

Based on our consideration of all five factors, EPA has preliminarily concluded that Maricopa (partial) and Pinal (partial) Counties in Arizona and areas of Indian country – Salt River and Tohono O'odham (partial) – should be designated nonattainment for the 2008 ozone NAAQS as the Phoenix-Mesa multi-jurisdictional nonattainment area.

Appendix 1:

Map showing Monitors, Emissions, Vehicle Traffic, and General Population

# Legend

- 2008-2010 AQS design value
- 2009-2011 AQS design value
- 2009-2011 Ozone Watch design value
- 88, 74\*, x  
Violating 8-Hour Ozone Monitor with 2009-2011 design value<sup>1</sup>
- 88, 74\*, x  
Attaining 8-Hour Ozone Monitor with 2009-2011 design value<sup>1</sup>

## 2008 NEI NO<sub>x</sub> and VOC Point Source Emissions (Tons per year)

- < 100 tons per year
- 100 - 249
- 250 - 499
- 500 - 1,999
- > 2,000

- Existing 1997 Ozone NAAQS and/or EPA-Intended 2008 Ozone NAAQS Nonattainment Area
- New EPA Recommendation for Attainment for areas currently designated Nonattainment for the 1997 Ozone NAAQS
- Existing/EPA-Recommended 8-Hour Ozone Nonattainment Area

County Boundary

## Annual Average Daily Non-Truck Traffic (Volume/day)

- < 25,000
- 25,000 - 50,000
- 50,001 - 100,000
- 100,001 - 250,000
- > 250,000

## Annual Average Daily Truck Traffic (Volume/day)

- 0 - 1,000
- 1,001 - 5,000
- 5,001 - 10,000
- 10,001 - 25,000
- > 25,000

- San Joaquin Valley
- Air District/Authority
- Fresno, CA Metro Area
- 2010 Census CBSA
- MOJAVE DESERT AIR BASIN
- Air Basin

- Urban Area
- Urban Area
- Minor Civil Division
- Township and Range
- Military Lands
- National Forest Service Lands
- National Park Service Lands

## 2010 Census Tract Population Density

- 100 - 499 people per square mile
- 500 - 1,999
- 2,000 - 3,499
- 3,500 - 4,999
- > 5,000

- State boundary
- Smith River Rancheria
- Tribal Lands<sup>2</sup>

- ## Elevation
- >14,000 ft
  - 12,000
  - 10,000
  - 8,000
  - 6,000
  - 4,000
  - 2,000
  - ~ MSL

\*Design value invalid due to data completeness issues. Design Values are labeled with 2010 AQS, 2011 AQS, and 2011 OzoneWatch design values, respectively. Absence of design value symbolized with an "x".

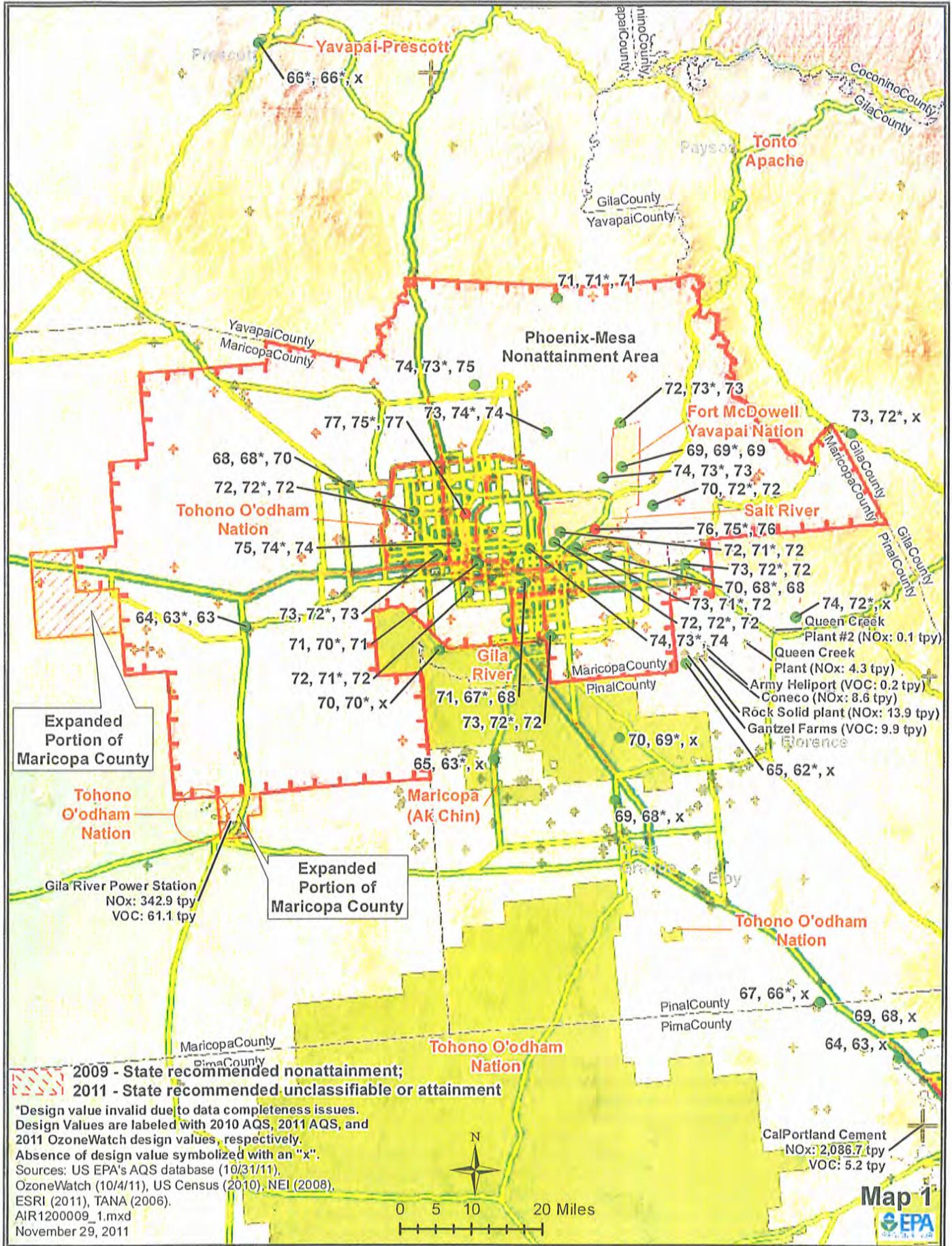
Sources: US EPA's AQS database (10/31/11), US EPA's NEI (2008), OzoneWatch (10/4/11), US Census (2010), ESRI (2011), TANA (2006), FTA (2007).

<sup>1</sup> Monitors are color-coded based on the highest 2009-2011 design value between AQS or OzoneWatch.

<sup>2</sup> Areas of Indian country displayed here are intended for illustrative purposes only.

EPA does not have the authority to define official boundaries for areas of Indian country.

Hence, EPA does not guarantee the accuracy or completeness of Indian country boundaries displayed in this map.



Appendix 2:

Map showing Jurisdictional Boundaries and Detailed Population

# Legend

- 2008-2010 AQS design value
- 2009-2011 AQS design value
- 2009-2011 Ozone Watch design value
- 88, 74\*, x  
Violating 8-Hour Ozone Monitor with 2009-2011 design value<sup>1</sup>
- 88, 74\*, x  
Attaining 8-Hour Ozone Monitor with 2009-2011 design value<sup>1</sup>

## 2008 NEI NO<sub>x</sub> and VOC Point Source Emissions (Tons per year)

- < 100 tons per year
- 100 - 249
- 250 - 499
- 500 - 1,999
- > 2,000

- Existing 1997 Ozone NAAQS and/or EPA-Intended 2008 Ozone NAAQS Nonattainment Area
- New EPA Recommendation for Attainment for areas currently designated Nonattainment for the 1997 Ozone NAAQS
- Existing/EPA-Recommended 8-Hour Ozone Nonattainment Area

County Boundary

## Annual Average Daily Non-Truck Traffic (Volume/day)

- < 25,000
- 25,000 - 50,000
- 50,001 - 100,000
- 100,001 - 250,000
- > 250,000

## Annual Average Daily Truck Traffic (Volume/day)

- 0 - 1,000
- 1,001 - 5,000
- 5,001 - 10,000
- 10,001 - 25,000
- > 25,000

\*Design value invalid due to data completeness issues. Design Values are labeled with 2010 AQS, 2011 AQS, and 2011 OzoneWatch design values, respectively. Absence of design value symbolized with an "x".

Sources: US EPA's AQS database (10/31/11), US EPA's NEI (2008), OzoneWatch (10/4/11), US Census (2010), ESRI (2011), TANA (2006), FTA (2007).

<sup>1</sup> Monitors are color-coded based on the highest 2009-2011 design value between AQS or OzoneWatch.

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- San Joaquin Valley
- Air District/Authority
- Fresno, CA Metro Area
- 2010 Census CBSA
- MOJAVE DESERT AIR BASIN
- Air Basin

Urban Area

Urban Area

Minor Civil Division

Township and Range

Military Lands

National Forest Service Lands

National Park Service Lands

## 2010 Census Tract Population Density

- 100 - 499 people per square mile
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- 3,500 - 4,999
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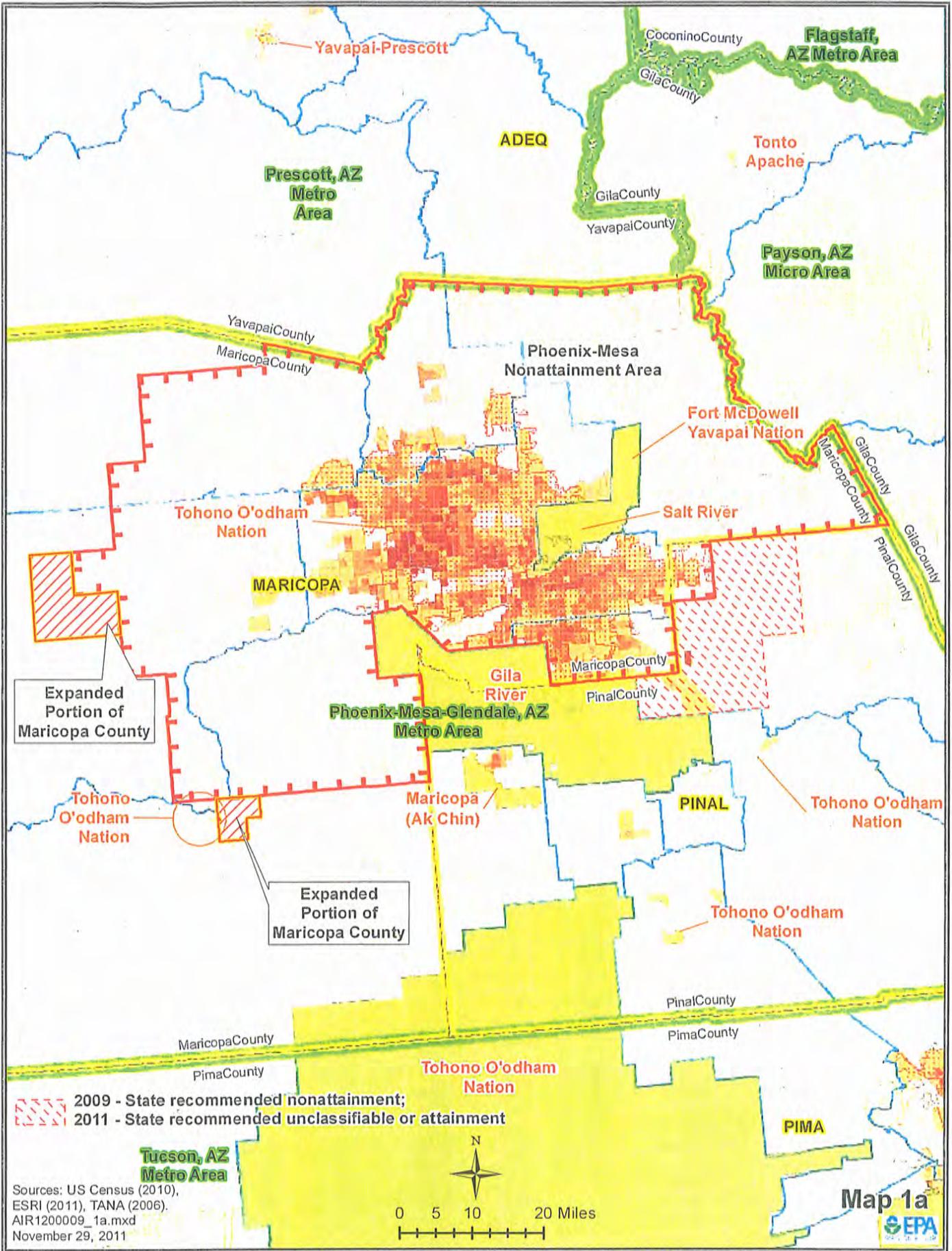
State boundary

Smith River Rancheria

Tribal Lands<sup>2</sup>

## Elevation

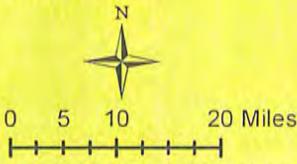
- >14,000 ft
- 12,000
- 10,000
- 8,000
- 6,000
- 4,000
- 2,000
- ~ MSL



2009 - State recommended nonattainment;  
 2011 - State recommended unclassifiable or attainment

**Tucson, AZ Metro Area**

Sources: US Census (2010),  
 ESRI (2011), TANA (2006).  
 AIR1200009\_1a.mxd  
 November 29, 2011



**Map 1a**

Appendix 3:

Air Quality Monitoring Data Table

Appendix 3: Air Quality Monitoring Data Table

State	Proposed Nonattainment Area (if applicable)	County	AQS ID	DV	DV Source (2008-2010 AQS)
<b>Arizona</b>	<b>Phoenix-Mesa</b>	<b>Maricopa</b>	<b>040131004</b>	<b>77</b>	<b>2008-2010 AQS DV</b>
Arizona	Phoenix-Mesa	Maricopa	TT6157021	76	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040139997	75	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040133003	74	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040134008	74	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040139704	74	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040130019	73	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040132005	73	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040134004	73	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040132001	72	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040134003	72	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	TT6157020	72	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	TT6157024	72	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040139706	72	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040133002	71	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040134005	71	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040139508	71	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040131010	70	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	TT6147003	70	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040139702	70	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	TT6135100	69	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040134010	68	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Maricopa	040134011	64	2008-2010 AQS DV
Arizona	Phoenix-Mesa	Pinal	040213001	73	2008-2010 AQS DV
Arizona	-	Cochise	040038001 <sup>a</sup>	68	2008-2010 AQS DV
Arizona	-	Coconino	040051008	69	2008-2010 AQS DV
Arizona	-	Coconino	040058001 <sup>a</sup>	68	2008-2010 AQS DV
Arizona	-	Gila	040070010	73	2008-2010 AQS DV

State	Proposed Nonattainment Area (if applicable)	County	AQS ID	DV	DV Source (2008-2010 AQS)
Arizona	-	La Paz	<b>040128000</b>	<b>72</b>	<b>2008-2010 AQS DV</b>
Arizona	-	Navajo	<b>040170119<sup>a</sup></b>	<b>67</b>	<b>2008-2010 AQS DV</b>
Arizona	-	Pima	<b>040190021</b>	<b>69</b>	<b>2008-2010 AQS DV</b>
Arizona	-	Pima	040191018	69	2008-2010 AQS DV
Arizona	-	Pima	040191020	68	2008-2010 AQS DV
Arizona	-	Pima	040191028	67	2008-2010 AQS DV
Arizona	-	Pima	040191011	65	2008-2010 AQS DV
Arizona	-	Pima	040191030	65	2008-2010 AQS DV
Arizona	-	Pima	040191032	64	2008-2010 AQS DV
Arizona	-	Pima	040191034	64	2008-2010 AQS DV
Arizona	-	Pinal	<b>040218001</b>	<b>74</b>	<b>2008-2010 AQS DV</b>
Arizona	-	Pinal	TT6147001	70	2008-2010 AQS DV
Arizona	-	Pinal	040213003	69	2008-2010 AQS DV
Arizona	-	Pinal	040213007	67	2008-2010 AQS DV
Arizona	-	Pinal	040213009	65	2008-2010 AQS DV
Arizona	-	Pinal	040213010	65	2008-2010 AQS DV
Arizona	-	Yavapai	<b>040258033</b>	<b>66*</b>	<b>2008-2010 AQS DV</b>
Arizona	-	Yuma	<b>040278011</b>	<b>73</b>	<b>2008-2010 AQS DV</b>

<sup>a</sup> = Clean Air Status and Trends Network (CASTNET) monitor.

<sup>b</sup> = Other National Park Service monitors.

\* = Design Value (DV) does not meet data completeness requirements.

**BOLD = DV monitor for the County**

**RED = DV for the proposed Nonattainment Area**

**BOLD AND RED = DV monitor for the proposed Nonattainment Area and the County**

Grouped by Proposed Nonattainment Area, then by County.

January 10, 2012

TO: Members of the MAG Regional Council Executive Committee

FROM: Leila Gamiz, MAG Community Outreach Specialist

SUBJECT: 2012 DESERT PEAKS AWARDS PROGRAM

The Maricopa Association of Governments (MAG) established the Desert Peaks Awards Program in 1998 to recognize excellence in regional cooperation among local governments, citizens and the private sector. The awards program is held biennially to honor member agencies, partners and individuals who have demonstrated a commitment to promoting, recognizing, and attaining the ideals of regionalism.

Currently, there are five Desert Peaks Award categories: Public Partnership; Public Private Partnership; Professional Service; Regional Partnership; and Regional Excellence. Due to a recent focus on regional economic development, MAG is soliciting the Committee's feedback on creating a sixth award category to recognize an outstanding regional business. This award would be presented to a business within Maricopa County that has demonstrated a commitment to regionalism through involvement in regionally-focused economic development and collaboration with local governments. Possible names for this award include: Outstanding Regional Business Partner; Regional Business Partnership; or Outstanding Regional Business.

In the past, the physical awards presented in each category have included a main large "project award" consisting of a 12 x 5.7" Lucite trophy incorporating the Desert Peaks logo, title of category and name of the winning project, as well as a smaller, nearly identical "partnering agency award" presented to each partnering agency consisting of a 9 x 4.3" Lucite trophy incorporating the Desert Peaks logo, title of category, project name and partnering agency. Since all of the Desert Peaks partnership awards must include at least two participating agencies, this has meant that submitting agencies must choose which partner takes home the large award. This also has resulted in occasional onstage confusion as to which partner will come forward to accept the project award. A possible option would be to eliminate the large project award and limit the trophies to the smaller partner awards only. During the awards event, all partners would be called up to the stage at the same time (we would still ask to limit acceptance speeches to one or two speakers). MAG staff requests Committee input on this potential change.

The 2012 Desert Peaks Awards event is scheduled for June 27, 2012. The event consists of a reception followed by a presentation of the awards. Based on positive feedback following the 2010 awards program, staff is recommending that the Downtown Phoenix Sheraton be considered as the venue for the program. Pricing options will be presented.

Any additional thoughts and ideas for improving the awards program are welcome.

# MARICOPA ASSOCIATION OF GOVERNMENTS

## INFORMATION SUMMARY... for your review

**DATE:**

January 10, 2012

**SUBJECT:**

Discussion of the Development of the FY 2013 MAG Unified Planning Work Program and Annual Budget

**SUMMARY:**

Each year, the MAG Unified Planning Work Program and Annual Budget is developed in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies in the spring and approved by the Regional Council in May.

Because of the continuing uncertainty of economic conditions, MAG staff is recommending that the calculation of draft Dues and Assessments for FY 2013 be maintained at the same level approved for fiscal years 2010 and 2011. A fifty-percent reduction to the dues and assessment total was first approved in the FY 2010 budget. The reductions in the Dues and Assessments for fiscal year 2013 costs would continue to be covered by MAG reserve funds. In the January 10 and February 14, 2005 MAG Regional Council Executive Committee meetings, the committee discussed that a minimum dues and assessments amount be set to cover some administrative costs of MAG committee meetings. The minimum amount of \$350 for MAG Dues and Assessments was recommended in the February 14<sup>th</sup>, 2005 meeting to cover administrative costs associated with MAG membership. This minimum amount was adopted beginning with the FY 2006 MAG Unified Planning Work Program and Annual Budget. The MAG draft Dues and Assessments for FY 2013 are presented with the minimum dues and assessments applied in Attachment A.

This overview of MAG's draft Dues and Assessments for FY 2013 (Attachment A) provides an opportunity for early input into the development of the FY 2013 Work Program and Budget. The draft Dues and Assessments documents are footnoted for your information.

- ◆ The population numbers used in the draft Dues and Assessments calculation are updated using the most recently approved population estimates for 2011 as indicated on the draft Dues and Assessments for FY 2013 in Attachment A.
- ◆ The information in the footnotes to the draft Dues and Assessments, (b), (c), (d), (e), (f), (g) and (h) remains the same from prior years and describes the calculations for the 9-1-1 Planning Assessment, the Homeless Prevention Assessment and the county portion of the population calculation, respectively.
- ◆ Because of the continuing uncertainty of economic conditions, MAG staff is proposing no overall increase in draft Dues and Assessments for FY 2013. The recommended overall total for the draft Dues and Assessments remains the same as fiscal years 2010 and 2011, with changes for individual members because of population shifts and, the application of minimum dues and assessments. The application of a minimum dues and assessments amount of

\$350 affects four members and is discussed in footnote (d). The draft Dues and Assessments increase each fiscal year prior to FY 2010 has been calculated using the average CPI-U from the prior calendar year as approved by the MAG Regional Council in their May 24, 2006 Executive Committee meeting.

- ◆ The Homeless Prevention Assessment is only charged to those cities that are CDBG recipients with populations over 50,000 and to Maricopa County.

A draft budget timeline is included for your review as Attachment B. The Webinar presentation of the draft budget is tentatively scheduled for Thursday, February 16, 2012 at 1:30 p.m. in the MAG Palo Verde Room. An invitation to the MAG fiscal year (FY) 2013 Budget Webinar will be included in the February Management Committee material.

**PUBLIC INPUT:**

No public comments have been received.

**PROS & CONS:**

PROS: MAG is providing the draft budget timeline and information on draft estimates for Fiscal Year 2013 Dues and Assessments.

CONS: None.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: None.

POLICY: None.

**ACTION NEEDED:**

Information and input on the development of the fiscal year (FY) 2013 MAG Unified Planning Work Program and Annual Budget.

**PRIOR COMMITTEE ACTIONS:**

This item is on the January 11, 2012 Management Committee Agenda for information and input.

**CONTACT PERSON:**

Rebecca Kimbrough, MAG Fiscal Services Manager, (602) 452-5051

**Maricopa Association of Governments**

Fiscal Year 2013

January 3, 2012

**Draft Dues And Assessments**

Jurisdiction	FY 2011 Budget (a) Population Totals	MAG Member Dues	Solid Waste Planning Assessment	Water Quality Planning Assessment	9-1-1 (b) Planning Assessment	Human Services Planning Assessment	Homeless (c) Prevention Assessment	Total (d) FY 2013 Estimated Dues & Assessments	Total FY 2012 Dues & Assessments	\$ Change from FY 2012 to 2013 Dues & Assessments
Apache Junction (f)	36,539	\$949	\$47	\$553	\$1,083	\$340		\$2,972	\$2,937	\$35
Avondale	76,392	\$1,994	\$98	\$1,155	\$2,263	\$711	\$645	\$6,866	\$6,892	(\$26)
Buckeye	52,334	\$1,330	\$67	\$792	\$1,550	\$487		\$4,226	\$4,169	\$57
Carefree (d)	3,367	\$164	\$4	\$51	\$100	\$31		\$350	\$350	\$0
Cave Creek	5,055	\$131	\$7	\$76	\$150	\$47		\$411	\$411	\$0
Chandler	238,381	\$6,176	\$307	\$3,606	\$7,062	\$2,219	\$1,999	\$21,369	\$21,345	\$24
El Mirage	31,862	\$832	\$41	\$482	\$944	\$297		\$2,596	\$2,605	(\$9)
Fort McDowell Yavapai Nation (d) (h)	971	\$296	\$1	\$15	\$29	\$9		\$350	\$350	\$0
Fountain Hills	22,554	\$588	\$29	\$341	\$668	\$210		\$1,836	\$1,843	(\$7)
Gila Bend (d)	1,922	\$244	\$2	\$29	\$57	\$18		\$350	\$350	\$0
Gila River Indian Community (d) (h)	2,994	\$184	\$4	\$45	\$89	\$28		\$350	\$350	\$0
Gilbert	213,519	\$5,451	\$275	\$3,230	\$6,326	\$1,988	\$1,765	\$19,035	\$18,844	\$191
Glendale	227,446	\$5,929	\$293	\$3,440	\$6,738	\$2,117	\$1,918	\$20,435	\$20,495	(\$60)
Goodyear	67,337	\$1,707	\$87	\$1,019	\$1,995	\$627		\$5,435	\$5,348	\$87
Guadalupe	5,895	\$144	\$8	\$89	\$175	\$55		\$471	\$452	\$19
Litchfield Park	5,523	\$143	\$7	\$84	\$164	\$51		\$449	\$448	\$1
Maricopa County (e)	274,673	\$7,170	\$354	\$4,155	\$8,137	\$2,557	\$2,320	\$24,693	\$24,785	(\$92)
Mesa	441,160	\$11,483	\$568	\$6,673	\$13,070	\$4,107	\$3,716	\$39,617	\$39,693	(\$76)
Paradise Valley	12,972	\$335	\$17	\$196	\$384	\$121		\$1,053	\$1,050	\$3
Peoria (g)	155,761	\$4,030	\$201	\$2,356	\$4,615	\$1,450	\$1,304	\$13,956	\$13,928	\$28
Phoenix	1,451,966	\$37,810	\$1,873	\$21,960	\$43,515	\$13,515	\$12,232	\$87,390	\$87,494	(\$104)
Queen Creek (f)	27,218	\$689	\$35	\$412	\$806	\$253		\$2,195	\$2,161	\$34
Salt River Pima-Maricopa (h)	6,342	\$165	\$8	\$96	\$188	\$59		\$516	\$516	\$0
Scottsdale	217,965	\$5,686	\$281	\$3,297	\$6,457	\$2,029	\$1,840	\$19,590	\$19,653	(\$63)
Surprise	118,349	\$3,074	\$153	\$1,790	\$3,506	\$1,102	\$995	\$10,620	\$10,624	(\$4)
Tempe	162,503	\$4,229	\$209	\$2,458	\$4,814	\$1,513	\$1,369	\$14,592	\$14,620	(\$28)
Tolleson	6,541	\$171	\$8	\$99	\$194	\$61		\$533	\$536	(\$3)
Wickenburg (g)	6,379	\$167	\$8	\$96	\$189	\$59		\$519	\$522	(\$3)
Youngtown	6,156	\$161	\$8	\$93	\$182	\$57		\$501	\$505	(\$4)
<b>TOTALS</b>	<b>3,880,076</b>	<b>\$101,432</b>	<b>\$5,000</b>	<b>\$58,688</b>	<b>\$71,935</b>	<b>\$36,118</b>	<b>\$30,103</b>	<b>\$303,276</b>	<b>\$303,276</b>	<b>\$0</b>

<b>FY 2012 Total Costs</b>		\$101,432	\$5,000	\$58,688	\$71,935	\$36,118	\$30,103
<b>Based on Population</b>		\$0	\$0	\$0	\$0	\$0	\$0
		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>Per Capita Cost</b>		\$0.02614	\$0.00129	\$0.01513	\$0.01854	\$0.00931	\$0.00776

The annual Dues and Assessments are apportioned according to per capita populations. Dues and Assessments were reduced by 50% beginning in FY 2010 from the FY 2009 total Dues and Assessments amount. This 50% reduction of member Dues and Assessments was applied to FY 2011, 2012 and MAG is recommending that the FY2013 member Dues and Assessments continue to be reduced by 50% due to economic conditions. Changes in population account for the individual member differences between the FY 2012 and FY 2013 Dues and Assessments totals .

- (a) MAG July 1, 2011 Approved Population. These population updates are needed by the State Economic Estimates Commission by December 15th of each year and are the final estimates.
- (b) The 9-1-1 assessment is apportioned according to per capita populations excluding the City of Phoenix.
- (c) The Homeless Prevention assessment is only charged to cities who are CDBG recipients and have populations over 50,000 and to Maricopa County.
- (d) Total Dues and Assessments minimum at \$350 per member results in an overall increase for these members.
- (e) The Maricopa County portion of the dues and assessments includes the balance of the county, excluding Gila River Indian Community, the Fort McDowell Yavapai Nation, and the Salt River Pima-Maricopa Indian Community (except when calculating the Homeless Prevention assessment).
- (f) Maricopa and Pinal County portions.
- (g) Maricopa and Yavapai County portions.
- (h) Maricopa County portion only.

Maricopa Association of Governments  
 Fiscal Year 2013  
 DRAFT January 3, 2012  
 Work Program and Annual Budget Proposed Timeline

- 01/05/12 Thursday Intergovernmental Meeting
- 01/11/12 Wednesday Management Committee Meeting-dues/assessments; timeline
- 01/17/12 Tuesday Regional Council Executive Committee Meeting-dues/assessments; timeline
- 01/25/12 Wednesday Regional Council-dues/assessments; timeline
- 02/02/12 Thursday Intergovernmental Meeting
- 02/08/12 Wednesday Management Committee Meeting- present new projects; presentation of summary budget documents
- 02/13/12 Monday Regional Council Executive Committee Meeting- present new projects; presentation of summary budget documents
- 02/16/12 Thursday Budget Workshop-webinar 1:00 p.m. Palo Verde Room, 2nd Floor, MAG Building
- 02/22/12 Wednesday Regional Council Meeting- present new projects; presentation of summary budget documents
- 03/08/12 Thursday Intergovernmental Meeting
- 03/14/12 Wednesday Management Committee Meeting- information and review of draft budget documents
- 03/19/12 Monday Regional Council Executive Committee Meeting- information and review of draft budget documents
- 03/28/12 Wednesday Regional Council Meeting- information and review of draft budget documents
- 04/05/12 Thursday Intergovernmental Meeting
- 04/11/12 Wednesday Management Committee Meeting- information and review of draft budget documents
- 04/16/12 Monday Regional Council Executive Committee Meeting- information and review of draft budget documents
- 04/25/12 Wednesday Regional Council Meeting- information and review of draft budget documents
- April Changes in draft budget projects and/or any changes in budgeted staff will be brought to the Executive Committee, Management Committee and Regional Council in their April meetings if needed (TBD)
- April IPG meeting with FHWA, FTA, ADOT and others (TBD)
- 05/03/12 Thursday Intergovernmental Meeting
- 05/09/12 Wednesday Management Committee meeting - present draft Budget for recommendation of approval
- 05/14/12 Monday Regional Council Executive Committee meeting - present draft Budget for recommendation of approval
- 05/23/12 Wednesday Regional Council meeting - present draft Budget for approval

DRAFT  
MAJOR REGIONAL GOALS/WORK EMPHASIS AREAS  
FOR FISCAL YEAR 2012-2013

Transportation:

A-1. Continue to Implement Proposition 400

MAG will continue to provide guidance and policy direction for the implementation of Proposition 400. During FY 2013, the focus will be on implementation of the appropriate recommendations of the Proposition 400 Performance Audit that was completed in December 2011. This includes the development of a project report card that provides the current status information on Proposition 400 projects and the continued development and implementation of the MAG Performance Measurement program. This effort will involve continued coordination with the RTP Partners, which comprises the directors of MAG, Arizona Department of Transportation, Valley Metro, and Valley Metro Rail. In addition, system planning, life cycle program management, facility design, and project implementation will be discussed on a regular basis with the staff of the implementing agencies.

A-2. Continue to Measure the Performance of the Regional Transportation Plan (RTP)

MAG has developed a set of measures that are used to communicate how the regional transportation system is performing. The Proposition 400 Performance Audit recommended continued development of the program with an emphasis on integrating the performance framework into the planning process. During FY 2013, an emphasis will be placed on issuing an updated Performance Measurement Report, enhancing the web-based performance tool, and integrating performance concepts into transportation framework studies, the long-range plan, and transportation improvement program.

A-3. Passenger Rail Development Planning

Through its membership on the Western High Speed Rail Alliance, MAG will continue to participate in high speed rail development planning in the Intermountain and Sun Corridor regions. In 2011, it was announced that the Federal Railroad Administration, in cooperation with the Alliance, will study the corridor feasibility of high speed rail that would connect Phoenix, Las Vegas and the Los Angeles regions together. In addition, MAG will continue its participation in the study efforts led by ADOT on the intercity rail service between the Phoenix and Tucson metropolitan areas. MAG also will continue to search for opportunities to restore passenger rail service by AMTRAK to the Phoenix metropolitan region.

A-4. Define Transit Roles and Responsibilities and Implement Organizational Changes

During 2011, the regional transit planning and programming responsibilities, which were consolidated at MAG, were integrated into the MAG transportation planning and committee

process. The full range of MAG transit roles and responsibilities include: developing the regional transit plan; programming regional transit funds; conducting transit corridor, subregional and system studies; reviewing and approving recommendations of alternatives analyses, design concept reports and other project scoping documents; coordinating sustainability and transit oriented development issues; and maintaining the MAG Transit Committee. During FY 2013, additional clarifications will be considered and if necessary, the MOU between MAG and the transit partners may be amended. Refinement and further clarification of the roles and responsibilities was a recommendation from the Proposition 400 Performance Audit.

A-5. Continue to Determine the Feasibility and Development of Policies Related to Public-Private Partnerships

The Arizona Legislature passed new legislation that substantially changes and improves the provisions in state law that allows for public - private partnerships (P3s) to build and / or operate transportation projects. It is anticipated that the MAG region has the potential for one or more 3P projects. A Managed Lane Feasibility Phase I Study was started in 2011, which examine opportunities related to managed lanes. If the initial analysis concludes that there are feasible opportunities, then Phase II would be initiated.

A-6. Livability, Community Development and Transportation

The Sustainable Transportation and Land Use Integration Study will be completed during 2012 and will develop strategies for transit corridors identified from the Commuter Rail System Study and the Regional Transit Framework Study. The study will provide "best practice" recommendations in the following areas: (1) overall strategies necessary to promote sustainable transportation and to enhance the land use/transportation connection; (2) development patterns and densities necessary to support high capacity transit service options; and (3) economic viability of implementing alternative land use scenarios along the targeted transit corridors. During FY 2013, efforts will focus on providing resource materials and education on the strategies, providing viable strategies to MAG member agencies to improve transportation mobility through increased transit ridership and to enhance economic opportunities through public and private investments around transit station areas. In addition, options for incorporating sustainable transportation and land use concepts into the long-range transportation planning process will be identified.

A-7. Revised Federal Fund Programming Policies and Procedures

Federal programs provide significant funding for highway and transit projects in the MAG region. During FY 2012, the revised federal fund programming policies and procedures were adopted by MAG. During FY 2013, the new policies and procedures will be used to manage the federal fund program that involves the programming of CMAQ and MAG STP funds. As the new policies and procedures are applied, needed changes to refine them will be noted as well as the overall success of maximizing the obligation of federal funds.

#### A-8. Freight Transportation Framework Study

The Freight Transportation Framework Study, which is examining freight and multimodal opportunities in the Sun Corridor, will be completed during 2012. The Freight Framework Study will describe the movement of goods (truck, rail, air, and pipeline) through the study area, identify possible network deficiencies to the safe and efficient flow of goods in, out, through and within the region, and propose strategies to improve the transportation network that will enhance regional mobility for freight. The study will also prepare a commodity flow summary and develop an inland port market assessment that will identify freight related economic development opportunities in the study area. Specific study objectives are to: (1) develop a commodity flow summary, (2) identify freight railroad border crossing opportunities that will accommodate anticipated freight flows from the proposed Punta Colonet Port and/or other Mexican freight interests to the Sun Corridor, (3) develop an inland port market assessment addressing the economic impact and benefits an inland port would have on economic clusters in the Sun Corridor, (4) identify improvements to the existing and future freight infrastructure (road, rail, air, and pipeline) that will provide regional connections to promote and support economic development throughout the region, and (5) describe the range of funding sources and opportunities that may be available, both today and in the future, to help implement the recommended framework.

For FY2013, the proposed Freight Transportation Plan will use the recommendations from the Freight Transportation Framework Study and analyze the existing freight corridors (including major corridors and subsystem corridors) throughout Maricopa County. The plan will evaluate roadways, railways, airport access, bridges, traffic operations, etc. The study will model the flow of goods (truck, train, air and pipeline) and identify bottlenecks and other barriers. The plan will identify hazardous cargo routes, existing and future freight corridors, evaluate the impact of overweight vehicles and bridge capacities, conduct a bridge and roadway life cycle cost analysis of all existing and proposed freight corridors, and identify projects that will enhance the flow of goods in the MAG region and complement the projects identified in the Regional Transportation Plan.

### Environment:

#### B-1. Continue to Ensure that the MAG Region Grows Clean Through Environmental Planning

- a. Five Percent Plan for PM-10: On January 25, 2011, the Arizona Department of Environmental Quality (ADEQ) voluntarily withdrew the MAG 2007 Five Percent Plan for PM-10 to include new information, including the new equation for paved road dust emissions issued by the Environmental Protection Agency (EPA). While the plan was withdrawn, the measures continued to be implemented to reduce PM-10. Since that time, a new 2008 emissions inventory was prepared to serve as the foundation for the MAG 2012 Five Percent Plan for PM-10. On July 8, 2011, EPA indicated that the region may take emissions reductions credit for the PM-10 measures that have already been implemented since 2007. Consequently, the new MAG 2012 Five Percent Plan for PM-10 contains a variety of existing control measures and projects that have been implemented to reduce PM-10 and a new

measure designed to reduce PM-10 when high risk conditions, including high winds, are forecasted by the ADEQ. It also includes five percent reductions in emissions through 2012 and demonstrates attainment in 2012. In FY 2013, supplemental technical analyses and information may need to be provided to the EPA. On a parallel track, the aggressive activities to prevent exceedances at the monitors and throughout the region will be continued. The region needs three years of clean data as measured by the monitors in order for EPA to determine that the standard has been met. In addition, MAG will continue to coordinate with the ADEQ to pursue the recommended clarifications to the flawed EPA Exceptional Events Rule. Correcting the rule is critical to ensure that areas do not face continual, reoccurring nonattainment due to exceptional events beyond their control. MAG will continue to provide technical assistance to ADEQ for the documentation of exceptional events. Efforts will continue to track the progress made to pave dirt roads in the PM-10 nonattainment area in 2013.

- b. New Eight-Hour Ozone Plan: On September 2, 2011, President Obama directed the EPA to withdraw its proposed new eight-hour ozone standards and delay any new rules until at least 2013, when the standard is next due for a formal review. On September 22, 2011, EPA issued a memorandum indicating that the agency will proceed with the initial designations under the 2008 standard of 0.075 parts per million starting with the recommendations made in 2009 and updating them with the most current, certified air quality data. On December 9, 2011, EPA sent a letter to the Governor that proposed the nonattainment area boundary for the 2008 standard that would expand the current boundary to the west and southwest where new power plants are located. EPA expects to finalize the designations by May 31, 2012. EPA plans to issue the planning guidance in 2012 also. The planning effort will be initiated to prepare an Eight-Hour Ozone Plan designed to meet the 0.075 parts per million standard. This involves the preparation of the modeling protocol, updating the mobile source portion of the emissions inventory if appropriate, conducting technical analyses, and conducting complex air quality modeling designed to demonstrate attainment of the standard. In 2011, there were 18 monitors with no violations and one monitor with a violation of the 0.075 parts per million standard in the nonattainment area.
- c. Conformity: A conformity analysis for the Transportation Improvement Program and Regional Transportation Plan Update will be prepared to ensure that transportation activities do not cause violations of the air quality standards. A conformity finding by the U.S. Department of Transportation is necessary for transportation projects to be built.
- d. Greenhouse Gas Emissions: The National Association of Regional Councils and Association of Metropolitan Planning Organizations have indicated that greenhouse gas requirements for metropolitan planning organizations may be mandated in the upcoming transportation reauthorization legislation being considered by Congress. These efforts, along with the activities of the EPA, will be closely monitored to determine the implications for the MAG region. It may become necessary to conduct an analysis of greenhouse gas requirements and emissions.

- e. Water Quality: Technical assistance will continue to be provided to the MAG member agencies for 208 Water Quality Management Plan amendments and small plant reviews and approvals in order to accommodate wastewater treatment needs in a growing region. Also, MAG staff will maintain the integrity of the MAG 208 Water Quality Management Plan, which preserves local government authority. MAG staff will continue the preparation of a revision to the MAG 208 Plan to incorporate the thirty-five wastewater treatment plants that have been approved by the MAG Regional Council since the October 2002 Update of the MAG 208 Water Quality Management Plan.
- f. Solid Waste: The integrity of the MAG Regional Solid Waste Management Plan will be maintained, which preserves local government authority. The plan includes 11 landfills, 21 transfer stations and combined materials recovery/transfer facilities, and seven material recovery facilities in the MAG region. Maricopa County has been evaluating its solid waste management facilities and their performance as well as other solid waste issues and would like to discuss these matters with the MAG Solid Waste Advisory Committee. In addition, ideas on best management practices will be compiled and shared with the jurisdictions.

## Communications:

### C-1. Continue Implementation/Enhancement of Public Participation Plan and Title VI Outreach

MAG will continue to implement strategies outlined in its Public Participation Plan to provide Valley residents increased opportunities for involvement and comment in regard to the implementation of the Regional Transportation Plan and other programs. In addition, MAG will continue to implement the Environmental Justice Title VI Plan. MAG will also continue to work with its partner agencies, including the Arizona Department of Transportation, Valley Metro, City of Phoenix Public Transit Department, and Valley Metro Rail, in a cooperative, coordinated public participation process. MAG's public participation process seeks to ensure the full and fair participation by all potentially affected communities in the transportation decision-making process, and provides targeted outreach to Title VI communities. MAG also will work to implement recommendations contained in the Regional Transportation Plan Performance Audit, including the development of a "citizen's guide" for public participation.

### C-2. Enhance Regional Communication and Outreach Efforts

As technology evolves, MAG consistently seeks innovative methods for communicating with Valley residents to ensure the greatest participation possible in MAG plans and programs. In order to increase awareness and understanding of MAG within the region, MAG will continue to implement a number of innovative communication strategies, including producing videos outlining MAG plans and programs through its Video Outreach Program and conducting its Social Media Program to reach new groups, such as younger demographics, that would otherwise not be engaged by MAG. MAG will continue to enhance applications to accommodate the use of electronic hand-held devices for accessing meeting materials. Additionally, MAG will elicit input through more formal public participation surveys and focus groups that will capture the priorities and preferences of Arizona residents.

### C-3. Continue Implementation of Litter Prevention and Education Program

MAG will continue to implement an integrated prevention and education campaign that combines elements of advertising, public relations, Web outreach, and special events, resulting in broad awareness by the public about the Don't Trash Arizona program, as measured by media coverage, Web analytics, surveys, and/or audience impressions. Roadway litter is ugly, unhealthy, and, when it comes to dangerous roadway debris, unsafe. The Regional Transportation Plan (RTP) includes funding for the freeway maintenance program, including litter control. In November 2003, MAG and the Arizona Department of Transportation signed a joint resolution that included a commitment to develop a long-term litter prevention program to help reduce freeway litter and defray pickup costs. In 2006, MAG, in cooperation with ADOT, began the implementation of Don't Trash Arizona!, a litter prevention and education program designed to change the behavior of offenders, improve visual aesthetics along the MAG Regional Freeway System, enhance tourism and economic development prospects, and ultimately reduce the cost of freeway maintenance. An evaluation survey conducted in August 2010 found the Don't Trash Arizona program has resulted in significant increase in awareness about litter issues and some changes in behavior among the most common offenders. With budget cuts expected to make landscape maintenance and litter pickup additionally challenging, ongoing education is critical for maintaining the momentum of the program in changing littering behavior.

### Information Services:

#### D-1. Support MAG member agencies and the general public with information on Census 2010, the American Community Survey (ACS), and other Census products and surveys to ensure that member agencies have the information needed to make informed decisions.

The 2010 Decennial Census took place on April 1, 2010. The U.S. Constitution mandates a count of every person living in the United States every 10 years. Approximately \$400 billion in federal funding is distributed annually to states based on population. In addition, more than one billion dollars in state-shared revenue is distributed to Arizona communities each year based on population. Since census numbers stand for 10 years, communities with undercounted populations risk losing millions of dollars in federal funding.

- a. MAG will continue to assist member agencies in their review of the Census numbers and provide research as needed for the Census Count Question Resolution program.
- b. The U.S. Census Bureau conducts ongoing surveys, such as the American Community Survey (ACS), which provide additional information to complement the Decennial Census. MAG will continue to inform member agencies of data available from the Census Bureau as well as assist with data analysis needs as they arise.
- c. MAG will host workshops for MAG member agency staff to provide analysis and expert training on utilizing Census and other socioeconomic data.

D-2. Create Partnerships With Others to Enhance the Quality of Planning for MAG, MAG Member Agencies and Other Regions to Ensure Efficient and Effective Responses to Future Growth Challenges

The success of many plans and programs is dependent on the partnerships of data providers, peer and expert support for reviewing and improving the methodologies employed, and the comment and feedback from data users and decision makers in the public and private sectors. To that end, MAG will continue to encourage the following partnerships:

- a. AZ-SMART: MAG will continue to work with Arizona Councils of Governments, (COGs) Metropolitan Planning Organizations (MPOs), the Arizona Department of Transportation, the Arizona State Land Department and other Arizona state agencies to create a common socioeconomic modeling suite, AZ-SMART (Arizona's Socioeconomic Modeling, Analysis and Reporting Toolbox.) This socioeconomic modeling suite not only will support socioeconomic activities at the Maricopa Association of Governments (MAG), the Pima Association of Governments (PAG) and the Central Arizona Association of Governments (CAAG), but also elsewhere throughout the State. This modeling suite will be a platform on which to build, calibrate, run, and analyze socioeconomic projections and projection models. It also will seamlessly incorporate local and national models at different levels of geography, with expanded model boundaries, in order to adequately support the transportation and regional planning activities at MAG and elsewhere. In 2012, AZ-SMART will be used by MAG for the next set of socioeconomic projections. After that, MAG will specifically work with the COGs and MPOs to help them gather the data necessary for AZ-SMART to be used in their regions.
- b. Socioeconomic Projections 2012: MAG staff will work with the State Demographers Office and the Council for Technical Solutions (currently housed at the Arizona Department of Administration) in the development of population projections for Maricopa County and Arizona. These projections will be utilized by MAG in the development of an updated set of subarea socioeconomic projections for Maricopa County. Projections of population, housing units, and employment are developed using the latest decennial or special census as the base. These projections will be developed at three levels of subregional geography: Municipal Planning Area (MPA), Regional Analysis Zone (RAZ), and Socioeconomic Analysis Zone (SAZ). The projections are used by the MAG transportation and air quality models to produce traffic and emissions forecasts. In addition, they are used for a wide variety of other regional planning programs.
- c. COG/MPO Socioeconomic Modeling Group: MAG will continue to organize an annual day and a half seminar on all socioeconomic modeling methods of importance to COGs and MPOs. Discussions at this seminar have focused on the pros and cons of numerous socioeconomic models, data collection techniques and geographic analysis. In previous years, this seminar has attracted as many as fifty people representing greater than twenty different COGs and MPOs. In addition, UrbanSim/OPUS is rapidly becoming the national socioeconomic model of choice for many COGs and MPOs and AZ-SMART is building on the UrbanSim/OPUS framework. COGs and MPOs have specific needs of their socioeconomic models to produce official projections for the area. These needs may be

quite different from the needs of universities, consultants or the general public. Therefore, MAG also will sponsor an annual meeting of a COG/MPO UrbanSim/OPUS Users Group to identify what we as COGs and MPOs think the future direction of this suite of socioeconomic models should be.

- d. Data dissemination and mapping: MAG implemented online mapping and reporting tools for demographic and employment data in the MAG region. MAG staff will continue to work on enhancing the tools based on input received from users. Additional mapping and reporting tools for land use and landmark inventories also will be developed. After the development of the application for Maricopa County, MAG staff also will implement an enhanced statewide data viewer. This will enable MAG and others to easily access regional data and study interrelationships of the larger area.

## Technology:

### E-1. Provide Technology Support to MAG Divisions, the Director and the Member Agencies

Providing appropriate and timely technology support will enable the agency to meet scheduled planning and modeling commitments. Through continuing provision of computing resources, database design and support, programming, application support and telecommunication services, Information Technology will ensure that modeling and planning activities are supported; ensure that member agencies have a forum for the exchange of technological information; and facilitate collaborative policy and technical meetings. The major processes in Information Technology that are targeted for FY 2013 include the following:

- a. Promote participation in and communication about the MAG process through technology: Information Technology will continue to support the use of GovDelivery and the Communities of Practice site as communication tools. Information Technology will support the continued expansion of the MAG web sites and the possible creation of additional portals for Performance Measurement and data access. Additionally, Information Technology will continue to support the technology needs of MAG.
- b. Support the enhancement of interagency communications and technological cooperation: Information Technology will work with the Transportation Division to ensure the successful support of the Regional Community Network (RCN) and to evaluate opportunities for expansion. Information Technology also will continue to promote agency involvement in the Technology Advisory Group as a venue for regional education and collaboration. Finally, Information Technology will support the evaluation and possible development of a Regional 3-1-1 System.

## Human Services/Environmental Justice:

### F-1. Improve Coordination of Mobility Options for Transportation Disadvantaged People

Update the MAG Human Services Coordination Transportation Plan to reflect emerging needs and new opportunities to benefit older adults, people with disabilities, and people with low incomes. The plan will offer an inventory of available services, an assessment of the gaps and resources, and prioritized strategies to best meet these needs. The plan will be presented to the MAG Regional Council for approval in the third quarter of FY 2013.

### F-2. Improve Criminal Justice Response to Domestic Violence

Implement the next phase of the MAG Protocol Evaluation Project with support from the Governor's Office and 20 project partners. This will include delivery of training in person and through a video and a Webinar. The result will be that victims are safer and abusers are held accountable through the criminal justice system. This will be documented by an evaluation of the project and a survey of the stakeholders supporting the work by the second quarter of FY 2013.

### F-3. Increase the Region's Supply of Permanent Supportive Housing

Increase the U.S. Department of Housing and Urban Development (HUD) award by \$1 million for permanent supportive housing by facilitating activities to submit a consolidated Stuart B. McKinney application to HUD for homeless assistance funding through the fourth quarter of FY 2012. This includes conducting an annual count of homeless persons, a gaps analysis, application training and review process for agencies, and completion of HUD Exhibit One materials. The impact will be that people experiencing homelessness will have consistent access to transitional housing, permanent supportive housing, and supportive services needed to end homelessness.

### F-4. Ensure Equitable Treatment of Disadvantaged Populations

Monitor implementation of the Environmental Justice Title VI Plan and make refinements indicated by public feedback and committee recommendation as needed. Continue to reach out to communities of concern through public involvement activities and integrate feedback from communities of concern into the planning process as appropriate. Achievement of these activities will be demonstrated by the fourth quarter of FY 2012 through a report to the MAG Transportation Review Committee.

### F-5. Municipal Aging Services

Implement an aging services menu of options that local governments can use when supporting services for older adults. The model will be developed from data gathered through best practice research and community engagement. The impact will be that the needs of older adults can be met in the most effective, cost efficient manner.

## Fiscal Services:

### G-1. Provide Fiscal Support to All MAG Divisions, the Director and the Members

The main goal of the Fiscal Services Division is to produce accurate, reliable and timely financial information for MAG. Financial administration at MAG requires expertise and the efficient performance of many, varied duties and activities by the Fiscal Services Division. In addition to the General Fund, which is the operating fund at MAG, the Fiscal Services Division also performs all accounting functions for nine special revenue funds, the capital account and debt account. Providing appropriate and timely fiscal support will enable the agency to make well-informed fiscal decisions and meet scheduled commitments. Through continuing implementation of the accounting policies and standards of MAG, fiscal services will ensure material compliance with governmental accounting standards; provide a fiscal program within the context of MAG's short- and long-range planning utilizing approved management techniques; and, provide fiscal information in a timely and accurate manner. The major processes in Fiscal Services that are targeted for FY 2013 include the following:

- a. Accounting, Auditing and Financial Reporting: The Fiscal Services Division is committed to continuing staff training and review of accounting procedures in order to meet the requirements of relevant standards, including, but not limited to, federal, local, and governmental accounting; researching and implementing new pronouncements from the Governmental Accounting Standards Board; approving, reconciling and monitoring financial information; monitoring cash flow to determine billing schedules to maintain an adequate cash balance; and, testing and implementing ongoing updates to the financial management system (Axium).
- b. Budgetary and Financial Management: Examine the annual budgeting process and determine methods of streamlining the budget preparation process including analysis and recommendation of budget production on an annual vs. biannual basis. There should be no loss in quality of the budget project or adverse financial impacts as a result of changing any procedures. Continue to produce a balanced budget whereby all expenditures are supported by revenues. Continue to ensure compliance with federal and state laws and related agreements using the budget amendment process that has been agreed upon between MAG and its cognizant agency for the Federal Highway Administration and Federal Transit Administration funding agreements. Ensure that the draft budget review is thorough and complete by all interested parties and that the draft budget review procedure is transparent for a timely adoption of the budget.
- c. Adhere to Recommended Practices for State and Local Government as approved by the Government Finance Officers Association (GFOA) where applicable: Ensure that the MAG Unified Planning Work Program and Annual Budget is an accurate annual budget which provides direction through the MAG policies in fiscal and operational terms, and provides a practical framework for implementing the policies needed in order to carry out the responsibilities at MAG throughout the year. Continue to work toward receiving the GFOA of the United States and Canada Distinguished Budget Presentation Award by adhering to

GFOA standards with the production of the FY 2013 Unified Planning Work Program and Annual Budget.

- d. Procurement: Minimize program costs by adhering to the MAG Procurement Policy and ensuring sound purchasing practices. The MAG Procurement Policy provides overall direction in shaping the practices MAG uses to acquire goods and services needed to carry out our responsibilities for procurement. The Procurement Policy was established to promote economy, efficiency, and effectiveness in the acquisition process. The policy is written to facilitate procurement practices that provide for public confidence in the MAG procurement process. Continue to maintain procurement standards through internal review of the documents produced in drafting Request for Proposals, Request for Qualifications and writing contracts. Continue to review the policy and standards periodically with MAG legal counsel to ensure that MAG's procurement process is current with federal and state laws and regulations and that the procurement process is efficiently administered.
- e. Cash Management and Fiscal Responsibility: Continue to ensure that the processes impacting cash management are timely and thorough in order to ensure the highest level of fiscal responsibility. This would include review and processing of accounts receivables; timely cash deposits; thorough review of all expenditures; timely and accurate billings; processing and verification of payable; and, review of other potential cash savings processes for MAG.
- f. Employee Compensation and Benefits: The biggest factors forcing the increase in the MAG operating budget are increases in employee compensation and increased benefits costs. Fiscal Services will continue to ensure that the compensation and benefit expenses are accurate. The division will continue to support the effort of the MAG Director to ensure that the compensation and benefit programs at MAG: (a) reflect the value of work performed by our employees; (b) compare favorably with the compensation and benefits paid for similar work in the private and public sectors; and © do not exceed authorized spending. The division will continue training and research to keep current on information regarding employee compensation and benefits.

## Administration:

### H-I. Continue to Improve Relationships in the Arizona Megapolitan Corridor

The megapolitan region of Arizona will contain 82 percent of the state's population by 2050. MAG will continue to work with the Central Arizona Association of Governments (CAAG) and the Pima Association of Governments (PAG) to build stronger relationships among the key elected officials in the three regions to empower a spirit of cooperation and collaboration with each other and important stakeholders, such as the Arizona Department of Transportation, State Land Department, Arizona State University's Morrison Institute of Public Policy, and economic development organizations, on key projects in the agencies' work programs that will help to establish the building blocks for developing an economic strategic plan for Arizona.

## H-2. Foster Transportation-Related Regional Economic Development

MAG will work to foster enhanced communication, coordination and consistency between the goals and policies of transportation plans and economic development strategies among economic development and planning agency leaders. This would target transportation related efforts to grow businesses, jobs and incomes by focusing on the state's major metropolitan areas. It is important to note the strong link between economic development and infrastructure in this region. Housing, transportation, and education are key components to a successful economic development plan. Transportation especially must be coordinated across municipal boundaries in order to be effective.

MAG also will work with the border towns, such as the Cities of Nogales and San Luis, to assist in improving the border crossings to be more competitive, and to improve the traffic flow and rail crossings at the border. Arizona greatly benefits from border traffic with approximately \$20 billion in two-way trade flow through the Nogales Port of Entry alone.

## H-3. Develop Relationships with the Federal Government to Communicate Regional Objectives and Concerns

Recent and ongoing activities concerning federal legislation and proposed administrative actions have facilitated the need to consider utilizing regular consulting to represent MAG's interests. The pending transportation reauthorization is an opportunity to increase and/or streamline the responsibilities of metropolitan planning organizations in large urbanized areas in light of flat or decreasing federal funding. Other federal initiatives include designation of I-11, reactivation of the Wellton Branch railroad line, and input into redefining the exceptional events rules as it relates to air quality. Recent proposed actions by a federal administrative agency highlight the need to promote awareness of MAG's role in complex technical and regulatory matters. Continuing the consultant assistance for federal affairs will assist in communicating MAG's perspective in important matters that impact the region.