

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
AIR QUALITY TECHNICAL ADVISORY COMMITTEE MEETING

Thursday, April 30, 2009
MAG Office
Phoenix, Arizona

MEMBERS ATTENDING

John Kross, Town of Queen Creek, Chairman
Sue McDermott, Avondale
Elizabeth Biggins-Ramer, Buckeye
#Jim Weiss, Chandler
#Jamie McCullough, El Mirage
Kurt Sharp for Tami Ryall, Gilbert
Doug Kukino, Glendale
Mario Saldamando for James Nichols, Goodyear
Scott Bouchie, Mesa
Joe Gibbs for Gaye Knight, Phoenix
#Larry Person, Scottsdale
#Cathy Rudder for Antonio DeLaCruz, Surprise
Oddvar Tveit, Tempe
*Mark Hannah, Youngtown
*Walter Bouchard, Citizen Representative
*Corey Woods, American Lung Association of Arizona
#Wendy Crites for Barbara Sprungl, Salt River Project
*Brian O'Donnell, Southwest Gas Corporation
Mark Hajduk, Arizona Public Service Company
#Gina Grey, Western States Petroleum Association
*Valley Metro/RPTA
*Dave Berry, Arizona Motor Transport Association
Jeannette Fish, Maricopa County Farm Bureau
*Russell Bowers, Arizona Rock Products Association
*Greater Phoenix Chamber of Commerce

Amanda McGennis, Associated General
Contractors
*Spencer Kamps, Homebuilders Association of
Central Arizona
Mannie Carpenter, Valley Forward
Erin Taylor, University of Arizona Cooperative
Extension
#Beverly Chenausky, Arizona Department of
Transportation
Diane Arnst, Arizona Department of
Environmental Quality
*Wienke Tax, Environmental Protection Agency
Jo Crumbaker, Maricopa County Air Quality
Department
Duane Yantorno, Arizona Department of Weights
and Measures
*Ed Stillings, Federal Highway Administration
*Judi Nelson, Arizona State University
#Christopher Horan, Salt River Pima-Maricopa
Indian Community
*David Rueckert, Citizen Representative

*Members neither present nor represented by proxy.
#Participated via telephone conference call.
+Participated via video conference call.

OTHERS PRESENT

Lindy Bauer, Maricopa Association of Governments
Patrisia Magallon, Maricopa Association of
Governments
Julie Hoffman, Maricopa Association of Governments
Randy Sedlacek, Maricopa Association of Governments
Cathy Arthur, Maricopa Association of Governments
Cammy Wagner, Riester
Lawrence Odle, Maricopa County Air Quality
Department
Heather Hodgman, City of Apache Junction

Holly Ward, Maricopa County Air Quality
Department
Frank Schinzel, Maricopa County Air Quality
Department
Mark Young, Queen Creek
Michelle Wilson, City of Glendale
Scott DiBiase, Pinal County
Russell Van Leuven, AZ Department of Agriculture
Leonard Montenegro, Arizona Department of
Environmental Quality

1. Call to Order

A meeting of the MAG Air Quality Technical Advisory Committee was conducted on April 30, 2009. John Kross, Town of Queen Creek, Chair, called the meeting to order at approximately 1:31 p.m. Jamie McCullough, City of El Mirage; Jim Weiss, City of Chandler; Chris Horan, Salt River Pima-Maricopa Indian Community; Beverly Chenausky, Arizona Department of Transportation; Wendy Crites, Salt River Project; Larry Person, City of Scottsdale; Gina Grey, Western States Petroleum Association; and Cathy Rudder, City of Surprise, attended the meeting via telephone conference call.

2. Call to the Audience

Mr. Kross stated that, according to the MAG public comment process, members of the audience who wish to speak are requested to fill out comment cards, which are available on the tables adjacent to the doorways inside the meeting room. Citizens are asked not to exceed a three minute time period for their comments. Public comment is provided at the beginning of the meeting for nonagenda items and nonaction agenda items. He noted that no public comment cards had been received.

3. Approval of the February 26, 2009 Meeting Minutes

The Committee reviewed the minutes from the February 26, 2009 meeting. Doug Kukino, City of Glendale, moved and Amanda McGennis, Associated General Contractors, seconded and the motion to approve the February 26, 2009 meeting minutes carried unanimously.

4. Eight-Hour Ozone Nonattainment Area Boundary Recommended by the Governor

Lindy Bauer, Maricopa Association of Governments (MAG), provided a briefing on the Eight-Hour Ozone Nonattainment Area Boundary recommended by the Governor. She stated that the Governor recommended the revised boundary to the Environmental Protection Agency (EPA) on March 12, 2009. Ms. Bauer added that the same boundary was presented to the MAG Air Quality Technical Advisory Committee on February 26, 2009.

Ms. Bauer indicated that on February 12, 2009, the Arizona Department of Environmental Quality (ADEQ) presented a Strawman Option which was supported by the MAG Regional Council on February 25, 2009. Ms. Bauer mentioned that the Governor recommended the same boundary that was supported by the MAG Regional Council and originally put forward by ADEQ. She presented the Eight-Hour Ozone Nonattainment Area Boundary. Ms. Bauer indicated that the current boundary was minimally expanded to include the Harquahala Power Generating Station to the west, the Gila River Power Station to the southwest, and the proposed Salt River Project (SRP) Abel Facility and the violating Queen Valley monitor to the southeast. She provided a schedule for the Eight-Hour Ozone Boundary designation. Ms. Bauer stated that EPA will notify areas of modifications to their recommendations by November 12, 2009. She indicated that EPA will finalize the boundaries by March 12, 2010 and it is anticipated that new air quality plans will be due in 2013. Ms. Bauer noted that the boundary is for the new eight-hour ozone standard of .075 parts per million.

5. Maricopa County Clean Air Initiative

Lawrence Odle, Maricopa County Air Quality Department, introduced the Maricopa County Clean Air Initiative. He stated that Maricopa County has been giving this presentation to many cities in the area. Mr. Odle indicated that we all contribute to air pollution and are all part of the solution. He stated that the County is expending a large amount of resources in terms of expanding the public education and outreach program to the cities, stakeholders, public entities and nonprofit organizations. Mr. Odle

indicated that the Maricopa County Air Quality Department is looking for the support of these organizations in two ways: 1) to make the clean air commitment and recognize that they are part of the solution; and 2) obtain clean air ambassadors for the program to help the County in getting the information out. He stated that air pollution is not new. Mr. Odle mentioned King Henry the 8th who made the proclamation: “who so ever shall be found burning coal within the sound of my voice shall suffer the loss of his head.” He indicated that this statement shows that air pollution has been an important issue for quite some time. Mr. Odle commented on the Donora, Pennsylvania air quality issue in 1948 and the London’s Killer Fog of 1952, which is where the term “smog” originated. He mentioned that these two incidences are examples of large scale stagnation in meteorological conditions and the visible dramatic impacts on the public. Mr. Odle indicated that Maricopa County has approximately 300,000 asthmatics in the County that on a day-to-day basis have to deal with particulate pollution and ozone.

Holly Ward, Maricopa County Air Quality Department, discussed the Maricopa County Clean Air Initiative. She presented the PM-10 exceedances in Maricopa County since 2006. Ms. Ward noted that ADEQ has submitted exceptional events to EPA. She added that once the exceptional events are approved, the region would have one exceedance day for 2007 and one exceedance day for 2008. Ms. Ward discussed the PM-10 standard and the consequences of not meeting the standard. She mentioned the financial impact on transportation project funding as well as the tougher rules for those in industry and homeowners if the PM-10 standard is not met. Ms. Ward emphasized that air pollution causes adverse health impacts on the public.

Ms. Ward presented the 2007 PM-10 emissions with committed control measures. She noted that the Committee is more familiar with the pie chart of the 2010 PM-10 emissions with committed control measures. Ms. Ward stated that the County is working to achieve its committed measures in the Five Percent Plan for PM-10. She added that the County is conducting a countywide outreach/public education effort and will be increasing its training. She introduced Frank Schinzel, Maricopa County Air Quality Department Dust Inspector and City/Town Liaison. Ms. Ward stated that Mr. Schinzel is available to help with rules, training, enforcement, etcetra. She commented that the County will also be strengthening and revising rules and ordinances. In addition, the County is creating an Advisory Committee and would like to have representation from the municipalities, community groups and industry associations to help with an Advisory Committee Process.

Ms. Ward stated that Maricopa County has ambitious goals which include decreasing the number of days the region exceeds the standard, engaging everyone to take action, reducing particulate pollution emissions by five percent each year until the standard is attained, and meeting the requirements in Senate Bill 1552. She mentioned a workshop that was held in February where the cities and towns discussed their issues and recommendations. The discussion included training, dust palliatives, resources, equipment sharing, public outreach and enforcement. Ms. Ward stated that the County has worked on a summary to the workshop and will be providing it to the city/town representatives who were in attendance.

Ms. Ward discussed the revised eight-hour ozone standard. She stated that the Maricopa County monitors exceeded 18 times in 2008. Ms. Ward added that the region would not have had any exceedances in 2008 under the old standard. She mentioned public outreach efforts to help decrease ozone pollution. Ms. Ward discussed the air monitoring van and indicated that the County is taking the van out to city and town councils when presenting its campaign. She mentioned that the community, council members, and staff are welcome to walk through the van. Ms. Ward stated that

staff is present to explain what the van does and what it can measure. Ms. Ward added that the County would entertain invitations from anyone that may be interested in having the van come to their area.

Ms. Ward indicated that the Maricopa County Air Quality Department has given a great deal of resources to a public outreach campaign. She mentioned the old campaign and stated that the County took the initiative from that campaign and turned it into a positive, take action outreach effort. Ms. Ward stated that the County has transitioned the slogan into Clean Air Make More. She added that the Clean Air Make More Campaign includes action items for people to follow. Ms. Ward commented that the Maricopa County Air Quality Department is spreading the message through outdoor high pollution advisory (HPA) billboards, radio ads, brochures, pens, flyers, local events and community presentations. She indicated that the County has also increased health watch and HPA callings to include a no burn day. In the past a no burn day would be called on just an HPA day. Ms. Ward mentioned that Mr. Odle has encouraged the County to issue a no burn day on a health watch day as well as an HPA day.

Mr. Ward discussed the Clean Air Make More website. She stated that the website offers interactive tools including a widget that can provide the current air quality status. Ms. Ward added that the widget pulls data from the 23 monitoring sites in Maricopa County. She indicated that the widget has three restriction icons that will turn red to indicate a no burn day, no use of leaf blowers on government property or off-highway vehicles on that day. The widget educates people of when inspectors will be out enforcing the restrictions. Ms. Ward noted that more information can be found on the web page by clicking on the icons.

Ms. Ward stated that policymakers, stakeholders, industry and the general public are needed to help with the outreach campaign message. She indicated that we all contribute to the pollution problem and therefore everyone will have to step in and take action. Mr. Ward added that the County is requesting that the Committee help in the cause and be a Clean Air Champion and local expert. She indicated that the Maricopa County Air Quality Department offers its campaign to help promote the message. Ms. Ward mentioned that the County is interested in changing behavior and getting people to take action so that the monitors do not exceed the standard. She commented that the County proposes for everyone to get involved by adding the Clean Air Make More link to their websites. Ms. Ward stated that the Maricopa County Air Quality Department is asking Committee members to designate a Clean Air Make More Ambassador that can help the County get the message out through items such as newsletters, mailings and Channel 11. She added that the County hopes that all the Committee members make the clean air commitment by signing up on the Clean Air Make More website, www.cleanairmakemore.com.

Mr. Odle stated that he has been in this business since 1971 and has had a chance to implement programs of various sizes. He added that this region is one of the more unique areas in the nation because of its growth, economic challenges, the structure of the inventory, as well as being a nonattainment area for particulates. Mr. Odle indicated that there has been changes made to the Maricopa County Air Quality Department. He mentioned that the County has created an ombudsman office. Mr. Odle commented that the mobile air monitoring van was approximately \$1.3 million and will be in the field by the end of the summer. He stated that the County now has the ability to get samples from odor complaints and identify the toxics with the mobile air monitoring van. Mr. Odle encouraged the Committee members to have their city councils invite the County out to display the mobile air monitoring van. He added that the County has already met with some of the city councils and it has been very successful.

Mr. Odle discussed the enforcement process. He indicated that there has been a change in the policy and the way that the program is being administered. Mr. Odle added that EPA's structure is set up to encourage penalties in the dollar value approach. He mentioned that EPA focuses on larger violation issues; discretionary non-enforcement is used for smaller violations. Mr. Odle indicated that the County is looking for conduct change. He stated that the enforcement settlements will begin to incorporate more accent and emphasis on conduct change than on the actual dollar penalty value. Mr. Odle added that the Maricopa County Air Quality Department did receive approximately \$4 to \$5 million in penalties this year. He mentioned that some of the funds will be sidelined to help set up activities for individual cities and purchase equipment that is necessary in the process. Mr. Odle stated that the County has gone through a 52 position reduction in force. He indicated that in October 2008, the County had a \$5.5 million budget deficit; however, the fund balance on June 30, 2009 will be approximately \$4 million ahead. Mr. Odle discussed new County policies including the kids club. He encouraged the Committee members to contact the Maricopa County Air Quality Department with any suggestions or recommendations.

Larry Person, City of Scottsdale, inquired if the County has studied the continuity or disconnect between the air quality watches and warnings and actual exceedances. He asked if the region has had a warning before each of the exceedances or have they been a surprise. Mr. Odle responded that the Maricopa County Air Quality Department has been looking into that area. He added that all of the days exceeding the standard are incorporated into the HPA days; however, not all of the HPA days resulted in exceedances of the standard. Mr. Odle mentioned that the County will be facing another challenge with the new ozone standard. He discussed the designation of HPA days. Mr. Odle indicated that the County has been fairly good at incorporating all of the days that exceeded the standard into the HPA days.

Mr. Kross inquired if the cities and towns have been receptive to hearing the County presentation. Mr. Odle replied that the County has had a lot of success in getting out to the community. He mentioned the City of Mesa and Town of Guadalupe and the success, progress and welcomeness received from those cities. Mr. Odle stated that there was one locale that initially rejected the offer; however, the Maricopa County Air Quality Department will continue to work with them through the process. He mentioned that the County is finding the need to build a relationship with the cities before involving them in the regulatory development process. Mr. Odle added that presenting at the various cities and towns is an opportunity to create that relationship. He discussed the city/town workshop and stated that there was good attendance. Mr. Odle added that the intention of the workshop was for the city and town representatives to tell the County how to work with them and make progress.

Mr. Kross inquired if the private sector has been receptive in hearing the presentation. Mr. Odle responded that the jury is still out. He added that the private sector is expecting some additional policies from the County which are currently in development. Mr. Odle noted that some of the policies take several months and the County had a fiscal challenge that took priority. He thanked Ms. Bauer for her assistance in resolving a Trip Reduction Program fund issue. Mr. Odle commented that the County became fiscally smart after learning that ADEQ was going to cut the funds. He mentioned that the County was able to resolve the issue through the assistance of MAG and others. Mr. Odle indicated that stakeholders are looking for changes. He added that the County wants to be strategic and calculated on how it goes about conducting the changes in the process. Mr. Odle added that approximately 50 presentations have been given before a variety of stakeholder groups and many more are planned. Mr. Kross inquired about the training. Mr. Odle responded that the training is not part of the initial outreach; however, the County is offering free training to the cities and towns.

6. Court Ruling on the EPA Exceptional Events Rule and the Implications for High Wind Events, Flagging, and Concurrences

Ms. Bauer provided an overview of the court ruling on the EPA exceptional events rule and the implications for high wind events, flagging, and concurrences. She stated that a copy of the ruling from the U.S. Court of Appeals for the D.C. Circuit has been provided to the Committee. Ms. Bauer indicated that the court upheld EPA's exceptional events rule which is important since this region has experienced exceptional and natural events for PM-10. Ms. Bauer stated that ADEQ has been doing an excellent job in flagging the data. She noted that the court found that the challenge portion of the lawsuit to the high wind events was not ripe at this point in time. Ms. Bauer mentioned that the court indicates that judicial review will be available once EPA designates an area as attainment and it has approved some of the exceptional events. There will then be an opportunity to question whether an area should be designated to attainment. Ms. Bauer added that in discussing the issue with EPA, the flagging of the data, the timing of submitting the flagged data and the County quality-assuring the data is very critical. Ms. Bauer indicated that EPA may have a situation where it is going to take action on a plan; however, the data has not been submitted in time to be flagged. She stated that ADEQ has been looking at how quickly the data can be flagged since it is very important for this region. Ms. Bauer noted that there has been several days flagged due to the high winds in the region as well as in Pinal County.

Mannie Carpenter, Valley Forward, inquired if there was only one exceedance in 2007 and one in 2008 that were not flagged as natural events. Ms. Bauer responded that is correct. She stated that for PM-10, no more than three exceedances per monitor over a three year time period is allowed. She added that MAG is hoping to have that kind of record for 2008, 2009 and 2010 for the MAG Five Percent Plan for PM-10.

7. New Draft EPA Mobile Source Emissions Model

Cathy Arthur, MAG, provided a briefing on the new draft EPA mobile source emissions model. She stated that the MOVES model is the MOTO Vehicle Emissions Simulator that was recently released in draft form by EPA. She added that this is the next generation that will replace the MOBILE model and eventually the NONROAD model. Ms. Arthur indicated that the MOVES model will be addressing mobile sources that are onroad and offroad; however, initially it will only provide the onroad emission factors. Ms. Arthur mentioned that comments are due to EPA by July 2009 and EPA plans to release the MOVES model by the end of the year. She stated that EPA training has been tentatively scheduled in Phoenix on May 27th and 28th.

Ms. Arthur stated that the MOVES model is currently in draft form for review by the individuals and metropolitan planning organizations (MPOs) that will be using it. She mentioned that MOVES will be the official EPA emissions model once it is released in non-draft form. Ms. Arthur indicated that EPA may allow between 3 and 24 months as a grace period for use of the model. She added that EPA will likely allow the full 24 months since it is such a major transition. Ms. Arthur stated that the model will be required after that 24 month period for all conformity analyses, State Implementation Plan revisions and other uses.

Ms. Arthur discussed the differences between the MOVES and MOBILE models. She mentioned that the MOVES model has a graphical user interface and a database structure. Ms. Arthur added that the emissions rates are primarily based on data collected since the MOBILE model was last released in 2003. Ms. Arthur stated that the sources for the data include a major study conducted in Kansas City

which looked at particulate matter exhaust emissions from light duty vehicles. Ms. Arthur added that there has been a lot of focus on heavy duty vehicle emission rates since 2003 which have been improved in the MOVES model. She indicated that EPA looked at 100 vehicles in use at the University of West Virginia and on-board driving data for an additional 300 heavy duty vehicles.

Ms. Arthur discussed the emission rates being different between the two models. She mentioned that EPA had four different states use their local data for testing of the model before it was released in draft form in early April. Ms. Arthur indicated that the consistent results found in the four states were that the nitrogen oxide (NO_x) emissions were approximately one-third higher than the MOBILE model. She stated that values tripled for PM-2.5 and the volatile organic compound (VOC) emissions were slightly lower with the MOVES model. Ms. Arthur added that if the NO_x emissions are higher in the MOVES test runs for this region, MAG may need to remodel the attainment and maintenance demonstrations for the eight-hour ozone standard of 0.080 parts per million in order to create conformity budgets for NO_x and VOC emissions. In addition, MAG may need to remodel the Five Percent Plan for PM-10 and establish new conformity budgets for NO_x and VOCs if the PM-2.5 emissions are considerably higher with the new model. Ms. Arthur noted that this is all contingent upon using local data and finding these same results. She mentioned that the Congestion Mitigation and Air Quality Improvement (CMAQ) methodologies would also have to be revised to reflect the new speed sensitivity of PM-10 in the MOVES model.

Ms. Arthur stated that the MOVES model was downloaded on April 10, 2009 and MAG staff is currently reviewing the two technical manuals. She added that software interfaces between the MAG travel demand models and the new MOVES model will be developed. Ms. Arthur indicated that data inputs are different; therefore, the MOBILE6 inputs will need to be converted to a format compatible with the MOVES model. She stated that local data will also be tested and it is anticipated that these steps will be accomplished before July in order to provide comments to EPA. Ms. Arthur mentioned that MAG will continue to update the Committee on the MOVES model.

Mr. Carpenter inquired about the model being applicable outside California. Ms. Arthur responded that California has its own model called EmFAC. She added that California has different emission standards for its vehicles; therefore, they have conducted their own studies to develop the emission factors for California vehicles and in the process, developed their own model. She mentioned that California has been exempted from using the MOVES model since it has its own EPA-approved model.

Mr. Carpenter inquired if PM-10 and PM-2.5 are tailpipe emissions. Ms. Arthur responded that the emissions are not strictly from tailpipes. She added that the PM-10 output by the MOVES model includes tire wear and brake wear as well as exhaust emissions. Ms. Arthur indicated that re-entrained PM-10 due to vehicles traveling on paved roads is estimated with a different AP-42 equation that is not addressed by MOVES. Mr. Carpenter asked how PM-10 in MOVES compares to MOBILE6. Ms. Arthur replied that the test for PM-10 was not provided; however, PM-2.5 is the biggest component of exhaust PM-10. She added that if PM-2.5 is tripling in the MOVES model then there may be an impact on PM-10. Ms. Arthur noted, however, that the vehicle exhaust emissions are less than two percent in the PM-10 emissions inventory. She mentioned that it is unknown at this time if there will be an impact on the conformity budget since PM-2.5 emissions are a small proportion of the total budget.

Mark Hajduk, Arizona Public Service Company, inquired if the model can calculate carbon dioxide emissions. Ms. Arthur responded that the model does calculate those emissions; however, it has not yet been tested by MAG.

8. Possible Greenhouse Gas Requirements in CLEAN-TEA

Ms. Bauer provided an overview of possible greenhouse gas requirements for metropolitan planning organizations. She stated that efforts are underway to address climate change and reduce greenhouse gas emissions at the federal level. The Maricopa Association of Governments is the designated Regional Air Quality Planning Agency and the Metropolitan Planning Organization for transportation. Ms. Bauer added that both the National Association of Regional Councils and the Association of Metropolitan Planning Organizations have indicated that greenhouse gas requirements may be included in the upcoming transportation reauthorization legislation. She stated that the focus of her presentation is on transportation.

Ms. Bauer indicated that according to EPA, transportation accounts for approximately 28 percent of the carbon dioxide equivalent emissions. She noted that greenhouse gas emissions are reported in carbon dioxide equivalent emissions. Ms. Bauer mentioned that some sources of greenhouse gas emissions are more effective at global warming than carbon dioxide. Carbon dioxide equivalent emissions are used for a universal approach. She stated that the City of Phoenix has indicated that methane is 28 times more efficient as a greenhouse gas than carbon dioxide. Ms. Bauer noted that all sources have been converted to carbon dioxide equivalent emissions. She presented the sources of U.S. greenhouse gas emissions. Ms. Bauer added that transportation and electricity generation are the largest sources in the United States. The smaller sources include industry, agriculture, commercial and residential.

Ms. Bauer discussed the draft American Clean Energy and Security Act of 2009 and the key transportation provisions in the legislation. She stated that the legislation would set federal emissions standards for cars, trucks, trains and ships. Ms. Bauer indicated this would be a heavy hitting measure for carbon dioxide emissions. She stated that the legislation would also set a low-carbon fuel standard for onroad, offroad and airplanes. Ms. Bauer mentioned that EPA would be given three years to prepare regulations to reduce greenhouse gas emissions from all transportation fuels to below 2005 levels. The transportation fuel emissions would then need to decrease by at least five percent below 2005 levels each year between 2023 and 2029, and by ten percent for 2030 and later. Ms. Bauer stated that between 2014 and 2022 the average greenhouse gas emissions for fuels would be capped at the 2005 level and then fuels would need to start reducing emissions to below that level. She added that the legislation also promotes plug-in electric vehicles and infrastructure since the vehicles are zero emitting vehicles.

Ms. Bauer discussed the requirements for metropolitan planning organizations such as MAG. She stated that MPOs over 200,000 in population must submit plans to reduce transportation related greenhouse gas emissions as part of the Transportation Improvement Plan or the Regional Transportation Plan. Ms. Bauer indicated that the plans would have to be designed to achieve the goals set by the State. She mentioned that there would be a stakeholder process to set the goals and develop the plans involving State air agencies, State Departments of Transportation, MPOs 200,000 or more in population, local air and transportation agencies, as well as the public.

Ms. Bauer discussed the greenhouse gas reduction goals which include a statewide goal and goals for each MPO over 200,000 in population. She added that these goals would need to be set within three

years of enactment of the bill should it pass Congress. Ms. Bauer mentioned that the goals would apply to all mobile sources and would need to be from business as usual projections. She indicated that there would be ten and 20 year time horizons along with revisions to the goals every four years. Ms. Bauer added that the emissions are not to increase after a specified year and the bill encourages States to use 2010 as the base year.

Ms. Bauer discussed the greenhouse gas reduction plans. She stated that the plans must be updated to ensure that the Transportation Improvement Plan and Regional Transportation Plan will achieve the goal. Ms. Bauer added that the plans have to address mobile sources, economic development, and scenario analysis, likely through modeling. She indicated that there will be a public involvement component, regional coordination with the MPOs, local governments and agencies as well as consultation that is similar to what is currently in place.

Ms. Bauer discussed the strategies in the bill to reduce transportation related greenhouse gas emissions. She stated that the planning strategies include increased public transit services as well as updated zoning/land use regulations. She added that local land use authority rests with local governments and Maricopa County, which also has land use and zoning authority. Ms. Bauer indicated that if the bill is passed, MAG is thinking it would work with the local governments and the County using a process similar to the process for air quality measures. She added that the jurisdictions would be using existing authorities for these measures and subsequently providing them to MAG. Ms. Bauer indicated that there is concern over the infringement on local land use authority in the bill. She referred to the Clean Air Act, Section 131, which states that nothing in the Act shall infringe upon local land use authority. Ms. Bauer mentioned that the bill further discusses coordinating transportation and land use; focusing growth close to job centers; using existing infrastructure; promoting transit, bicycle and pedestrian travel; and promoting mixed use development.

Ms. Bauer discussed additional strategies in the American Clean Air Energy and Security Act of 2009. She mentioned the complete streets implementation for all types of users. She stated that the bill includes bicycle and pedestrian infrastructure, telecommuting, flex schedules, pricing measures and parking policies. The bill also includes the use of intermodal freight. Ms. Bauer also discussed high occupancy vehicle/bus rapid transit lanes, idling reduction measures and fleet turnover/vehicle replacement. She mentioned the enforcement mechanism in the American Clean Energy and Security Act of 2009. Ms. Bauer stated that EPA may withhold federal funds if goals or plans are not submitted; however, EPA may not withhold federal funds based on the content or adequacy of goals and plans.

Ms. Bauer then discussed the Clean Low-Emissions Affordable New Transportation Equity Act (CLEAN TEA). She indicated that this bill would require States, regional and local governments with a population over 200,000 to establish a goal of reducing transportation related greenhouse gas emissions, develop a plan with a prioritized list of projects to meet the emissions goal, integrate the plan into existing State and regional transportation plans, and evaluate greenhouse gas impacts of projects. Ms. Bauer noted that the MOVES model may be a useful tool to meet the requirements of this bill. She indicated that the projects that could be funded include transit, passenger and freight rail, biking and pedestrian improvements, vanpool and telecommuting, and land use changes to make communities more walkable.

Ms. Bauer stated that a number of progressive efforts are underway in this region. She mentioned that the City of Phoenix has completed an inventory of its own facilities regarding greenhouse gas emissions and has a climate action plan. Ms. Bauer added that the City of Phoenix recently sent

ECOality and Nissan to talk to MAG and as a result MAG is partnering with them to develop the infrastructure needed for electric vehicles. She noted that electric vehicles are zero emitting. Ms. Bauer stated that the Pima Association of Governments is also working in partnership with Nissan. In addition, many of the cities have transit oriented development within their plans. She indicated that many of the items listed in the bills are very much underway within the MAG region. Ms. Bauer stated that the air quality plans also have measures to reduce vehicle miles of travel such as the Rideshare Program, the Maricopa County Trip Reduction Program, transit, carpooling and vanpooling. In addition, MAG will be performing some modeling to see how the region compares to the 2005 levels for carbon dioxide emissions. She added that on April 17, 2009, EPA issued a proposed finding that greenhouse gases may harm public health and welfare. Ms. Bauer mentioned that this is EPA's proposed endangerment finding which would allow EPA to regulate greenhouse gas emissions under the Clean Air Act if the endangerment finding becomes final.

Mr. Person inquired if EPA will be the enforcing agency. Ms. Bauer responded that at this time, it appears EPA will be the enforcing agency; however, it is draft legislation. She added that it is yet to be seen what comes out of Congress. Mr. Person asked if MAG is taking an official position in the sense of having a national lobbyist as the bill makes its way through Congress. Ms. Bauer replied that MAG is a member of the National Association of Regional Councils which seeks input from all the Regional Councils across the country. In addition, MAG often uses the city lobbyists that work for the cities and towns. She added that MAG has no official position at this point and is simply monitoring the bills and how they will impact the region. Mr. Person inquired if MAG has contacted the Scottsdale lobbyist. Ms. Bauer responded that MAG has not contacted the Scottsdale lobbyist regarding this issue.

Mr. Kross inquired if there would be additional funding through the Transportation Act for those who will be preparing the plans. Ms. Bauer responded that CLEAN-TEA includes a list of projects that could be funded. She added that there are some rumors indicating that the CMAQ category of funding may be broadened to include greenhouse gas emission reductions; however, it is too early to tell at this point in time. Mr. Kross referred to the land use strategy and asked if it is anticipated that the issue with the Clean Air Act would be reconciled. He inquired if there has been any early consideration. Ms. Bauer replied that MAG has not heard of any consideration; however, MAG wanted to point out Section 131 of the Clean Air Act which protects local land use authority.

Mr. Carpenter referred to the American Clean Energy and Security Act. He inquired if the ten percent emission reductions for 2030 and later was per year or cumulative. Ms. Bauer responded that the ten percent reductions appear to be starting in the year 2030.

Mr. Hajduk mentioned the EPA endangerment finding and the promulgation of standards under the Clean Air Act Section 202(a). He inquired about how the standards will impact the region. Ms. Bauer replied that MAG is looking at the standards in California and what the impact would be on the region. She added that the concern is that the region is a growth area. Ms. Bauer stated that if EPA promulgates a standard for vehicles to reduce carbon dioxide, we will need to determine if the emissions would be coming down enough to offset the growth in the region. She mentioned that MAG will be looking into this issue.

Mr. Hajduk stated that the endangerment finding will not only impact mobile emissions but stationary emissions as well. He added that right now the focus is on motor vehicles; however, eventually it will move to other aspects. Mr. Hajduk mentioned EPA moving forward with the standards and the bills

coming through legislation. He stated that it is difficult to determine the impacts. Ms. Bauer agreed and stated that the presentation focused only on the transportation provisions.

Mr. Kross inquired about the agreement between MAG, Nissan and ECOtality. Ms. Bauer responded that the City of Phoenix asked MAG to talk with Nissan about the project. Mr. Person asked that the handouts be provided for those attending by telephone. Ms. Bauer responded that MAG staff will email the handouts to the members attending by telephone.

9. Call for Future Agenda Items

Mr. Carpenter inquired if the region is in a position to start taking action on ozone since the Governor has made a recommendation on the boundary. Ms. Bauer responded that the MAG Unified Planning Work Program and Annual Budget will be going through the MAG Regional Council in May for approval and includes initiating the efforts to prepare an eight hour ozone plan for the .075 parts per million ozone standard. She indicated that MAG will begin by developing a modeling protocol, determining the base year, and working with the County on emission inventories.

Ms. Arnst mentioned having the consolidated report on the Five Percent Plan for PM-10 implementation tracking on the agenda for a future meeting. She inquired if the next Committee meeting will be held the week of Memorial Day. Ms. Bauer responded that the meeting would be held the day after Memorial Day, which is a Tuesday. She added that the meeting will take place on this day due to the process for the evaluation of CMAQ projects for closeout. Ms. Bauer stated that the timing for the May meeting has to coincide with the May MAG Transportation Review Committee (TRC) meeting since the recommendation of this Committee would go to the TRC. Ms. Arnst inquired about a quorum. Ms. Bauer responded that a quorum is necessary in order for the Committee to take action.

Mr. Kross announced that the next meeting of the Committee has been tentatively scheduled for May 26, 2009 at 1:30 p.m. With no further comments, the meeting was adjourned at 2:39 p.m.