

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

Thursday, June 3, 2004
MAG Office
Phoenix, Arizona

MEMBERS PRESENT

Stephen Cleveland, City of Goodyear, Chairman
#Avondale: Michael Powell
*Buckeye: Carroll Reynolds
#Chandler: Jim Weiss
Gilbert: Brian Townsend for Tami Ryall
Glendale: Doug Kukino
*Mesa: Scott Bouchie
Phoenix: Joe Gibbs for Gaye Knight
Scottsdale: Larry Person
*Surprise: Jerry Huston
Tempe: Oddvar Tveit
*Citizen Representative: Walter Bouchard
*American Lung Association of Arizona: Bill Pfeifer
*Salt River Project: Chris Janick
Southwest Gas Corporation: Brian O'Donnell
*Arizona Public Service Company: Jim Mikula
*Western States Petroleum Association: Gina Grey
Valley Metro: Susan Tierney for Randi Alcott
*Arizona Motor Transport Association: Dave Berry
*Maricopa County Farm Bureau: Jeannette Fish
Arizona Rock Products Association: Rusty Bowers
*Greater Phoenix Chamber of Commerce: Michelle Rill

Associated General Contractors: Amanda McGennis
*Homebuilders Association of Central Arizona:
Connie Wilhelm-Garcia
*American Institute of Architects - Central Arizona:
Stephen J. Andros
*Valley Forward: Peter Allard
University of Arizona - Cooperative Extension:
Patrick Clay
Arizona Department of Transportation: Mark
Wheaton
Arizona Department of Environmental Quality:
Peter Hyde
Maricopa County Environmental Services
Department: Jo Crumbaker
*Arizona Department of Weights and Measures:
Duane Yantorno
Federal Highway Administration: Ed Stillings for
Dennis Mittelstedt
*Arizona State University: Judi Nelson
Salt River Pima-Maricopa Indian Community: Stan
Belone for B. Bobby Ramirez
*Citizen Representative: David Rueckert

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

OTHERS PRESENT

Lindy Bauer, Maricopa Association of Governments
Dean Giles, Maricopa Association of Governments
Julie Hoffman, Maricopa Association of
Governments
Cathy Arthur, Maricopa Association of Governments
Ruey-in Chiou, Maricopa Association of
Governments
Scott Di Biase, Maricopa Association of Governments

Roger Roy, Maricopa Association of Governments
#Wienke Tax, Environmental Protection Agency
Bill Buck, Arizona Auto Hobbyist Council
Cathy Chaberski, City of Glendale
Neil Mann, City of Peoria
Shane Kiesow, City of Apache Junction
Jeff Baxter, Stevens & Stevens, P.C.
Steve Trussell, Arizona Rock Products Association
Dianne Barker, Citizen

1. Call to Order

A meeting of the MAG Air Quality Technical Advisory Committee was conducted on June 3, 2004. Stephen Cleveland, City of Goodyear, Chairman, called the meeting to order at approximately 1:40 p.m. Wienke Tax, Environmental Protection Agency, Jim Weiss, City of Chandler, and Michael Powell, City of Avondale, attended the meeting via telephone conference call.

2. Call to the Audience

Mr. Cleveland 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 table adjacent to the doorway 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.

Mr. Cleveland recognized public comment from Dianne Barker, Citizen, who clarified her comment made at the June 1, 2004 public hearing. She stated that the structure of the light rail transit (LRT) is an obstacle to drivers making left-hand turns. Drivers will be forced to drive longer and more miles to access businesses, thereby creating more pollution and congestion. As the region grows, there will be even more drivers. Ms. Barker commented on giving Congestion Mitigation and Air Quality (CMAQ) funds to the Regional Public Transportation Authority (RPTA) for the LRT project, and that the LRT is not considered to be a Transportation Control Measure. Ms. Barker stated that the modeling is off on the LRT, and pollution will increase. Mr. Cleveland thanked Ms. Barker for her comments.

3. Approval of the May 13, 2004 Meeting Minutes

The Committee reviewed the minutes from the May 13, 2004 meeting. Mark Wheaton, Arizona Department of Transportation, moved and Brian Townsend, Town of Gilbert, seconded and the motion to approve the May 13, 2004 meeting minutes carried unanimously.

4. Draft Conformity Assessment for a Proposed Amendment to the Special FY 2004-2007 MAG Transportation Improvement Program and Regional Transportation Plan

Dean Giles, Maricopa Association of Governments, gave a presentation on the Draft Conformity Assessment for a Proposed Amendment to the Special FY 2004-2007 MAG Transportation Improvement Program (TIP) and Regional Transportation Plan. He discussed the conformity requirements, and presented the results of the conformity budget tests for PM-10, Carbon Monoxide, and Ozone (Volatile Organic Compounds or VOCs) and provided a conformity schedule. Mr. Giles indicated that the results of the conformity assessment indicate that the amendment, when considered together with the emissions of the TIP and Regional Transportation Plan as a whole, meet the applicable conformity criteria.

Mr. Giles reviewed the response to public comments on the Draft Conformity Assessment for a Proposed Amendment to the Special FY 2004-2007 MAG TIP and Regional Transportation Plan

received at the June 1, 2004 public hearing. Testimony was presented at the public hearing by Dianne Barker. Additional comments were submitted by email from Joseph B. Ryan on June 3, 2004. Mr. Giles gave a brief response to the comments received.

Mr. Cleveland asked for clarification from Ms. Barker on her earlier comments. Ms. Barker mentioned that a comment she made at the June 1, 2004 public hearing was not summarized correctly in the response to public comments. Mr. Cleveland asked Ms. Barker to restate her comment. Ms. Barker stated that the structure of the Light Rail Transit is an obstacle to drivers making left-hand turns. Drivers will be forced to drive longer and more miles to access businesses, thereby creating more pollution and congestion. As the region grows, there will be even more drivers.

Ms. Barker added that she was not satisfied with the MAG response on giving CMAQ funds to RPTA for the LRT project. Paperwork shows that the air quality funds are going towards project administration salaries. Ms. Barker commented that she was pleased to see that the amendment and new conformity determination will be on the agenda for the June Management Committee and Regional Council meetings. Mr. Cleveland stated that Ms. Barker will have an opportunity at the Management Committee meeting if she would like to comment further.

Ms. Barker requested to know who conducted the air quality modeling and when the modeling was done. Lindy Bauer, Maricopa Association of Governments, responded that MAG performed the modeling for all three pollutants and that the budgets are set by the air quality plans. She added that the conformity assessment on the proposed amendment concludes that the TIP and Regional Transportation Plan are in conformance with the applicable air quality plans. Ms. Barker requested a copy of the documents generated from the modeling and commented that a table in the Final Environmental Impact Statement indicates that the LRT project will contribute to more pollution.

Ms. Bauer responded that MAG will work with Ms. Barker on her request and asked for clarification on the table she was referring to. Ms. Barker mentioned a table that shows carbon monoxide levels with the predicted build/no-build alternatives. She stated that according to RPTA, the LRT will create more pollution. Ms. Barker added that the LRT is not a Transportation Control Measure because it will create more pollution.

Rusty Bowers, Arizona Rock Products Association, asked if there is an appreciable increase in emissions due to the proposed amendment. Mr. Giles responded that the MOBILE model has been updated causing the emissions, especially for carbon monoxide, to be different. Mr. Bowers inquired about the original completion date of the Light Rail Transit. Mr. Giles replied that the first section of the 20-mile minimum operating segment of the LRT was to be completed by the end of 2006, and an additional section was schedule for completion in 2007.

Mr. Bowers asked if more changes to the schedule are anticipated. Ms. Bauer responded that there are a number of different variables in determining the schedule. Mr. Bowers commented on how appreciable changes to the LRT will affect the schedule and emission budgets. Ms. Bauer replied that if more changes are required for the LRT, a new conformity determination would be required. If the project is not in conformance, it cannot move forward.

Amanda McGennis, Associated General Contractors, asked if the revision to the year of expenditure amount for the Light Rail Transit from \$1.2 billion to \$1.3 billion is the result of a change in construction expenditures. Mr. Giles responded that he would report back on that issue. Mr. Cleveland asked for a motion to approve the Draft Conformity Assessment for the Proposed Amendment to the Special FY 2004-2007 MAG Transportation Improvement Program and Regional Transportation Plan. Joe Gibbs, City of Phoenix, moved and Doug Kukino, City of Glendale, seconded the motion. Mr. Bowers asked for clarification that the motion was to approve the analysis conducted for the amendment, not the requested changes. Mr. Cleveland responded that was correct. The motion carried unanimously.

5. Update on Maricopa County Fugitive Dust Control Rules

Jo Crumbaker, Maricopa County Environmental Services Department, provided the Committee with an update on Maricopa County Fugitive Dust Control Rules. Maricopa County Rule 310 for Fugitive Dust Control is one of the key measures in the Revised MAG 1999 Serious Area Particulate Plan for PM-10. Ms. Crumbaker provided a list of dust generating operations covered under Rule 310. She discussed new work practice requirements for dust generating operations, and some changes to existing requirements. Ms. Crumbaker mentioned the future tasks to be completed by Maricopa County, including the evaluation of manpower and resources, review of enforcement, and future rule changes.

Ms. Crumbaker described the process of adopting and implementing a Rule Revision. Mr. O'Donnell inquired about how an inspector cites a violation. Ms. Crumbaker responded that the inspector must stop and speak with the individual and write a report to document the event. Ms. McGennis asked when the revisions to Maricopa County Rule 310 that were approved on April 7, 2004 by the Maricopa County Board of Supervisors will go into effect. Ms. Crumbaker replied that the revisions will go into affect thirty days after the approval which is May 7, 2004.

Mr. Kukino asked when a copy of the map illustrating soil texture within the PM-10 nonattainment area would be available. Ms. Crumbaker responded that the map may be available on the Maricopa County website by the end of the year. She added that the map may include features to allow the user to focus on a specific area by typing in a description.

Peter Hyde, Arizona Department of Environmental Quality, asked if recently passed regulations are part of the rule revisions. Ms. Crumbaker responded that Maricopa County will correlate the regulations and rules in a guidance document. Mr. Cleveland asked for clarification on the soil texture. Ms. Crumbaker replied that "slight" refers to sandy soil, where "moderate" has more of a clay texture. She announced that "The Good, the Bad, and the Dusty" event will be held on June 29, 2004 at Arizona State University. Ms. Crumbaker mentioned the success of the event last year and that Maricopa County continues to provide outreach efforts to educate people about the PM-10 problem.

Ms. McGennis stated that the tables in Maricopa County Rule 310 provide a gage of how much water should be used on a surface. Ms. Crumbaker commented that the tables may help to standardize the bidding process. Larry Person, City of Scottsdale, referred to the agenda and asked

if there are any enforcement statistics available. Ms. Crumbaker responded that the most recent statistics are from 2002, but she does not have that information with her. Mr. Gibbs inquired about the prospects for enforcement. Ms. Crumbaker replied that additional barriers and signage will have an impact and that property crime is handled by city law enforcement.

Mr. Cleveland inquired about the size of the Maricopa County enforcement staff and the current budget. Ms. Crumbaker responded that four years ago there were only four dedicated staff members. A few new positions have been created since then, but funding sources have not been consistent. Mr. Kukino commented that if city law enforcement is needed for property crimes, using the MAG process will get city officials involved. Mr. Hyde asked what could be done to make the Maricopa County Board of Supervisors aware of how important it is to fund additional enforcement staff. Mr. Person stated that EPA may use Clark County as a “benchmark” to determine the appropriate number of enforcement staff. Ms. Crumbaker mentioned that Clark County has eighteen inspectors and Maricopa County has eight. Mr. Cleveland inquired about the difference in population. Ms. Crumbaker replied that Clark County has approximately half the population of Maricopa County.

Mr. Cleveland recalled ideas from the previous meeting to identify issues and the appropriate committees. Mr. Hyde commented on the process and finding the appropriate committee levels. Ms. Bauer stated that a Maricopa County Supervisor is a member of the MAG Regional Council and the Maricopa County Administrative Officer is a member of the MAG Management Committee. She mentioned that the efforts from Maricopa County, the cities, and the private sector are all extremely critical.

Mr. Cleveland commented on the comparative analysis between Maricopa County and Clark County, and the expected growth in the Valley, with only eight inspectors. He mentioned a shared relationship and opportunity with the private sector. Mr. Cleveland added that the MAG Transportation Policy Committee also has a stake in the discussion.

Mr. O’Donnell mentioned that some areas may receive a larger impact from street sweeping and that the inspectors should focus on areas where PM-10 violations are occurring. Ms. Crumbaker responded that the inspectors go wherever there is construction, but do try and target the hot spots. She mentioned that Maricopa County has seen an increase in inspector drive-time due to the growth.

Mr. Cleveland applauded the Committee for the action taken at the last meeting to address PM-10. Ms. Bauer mentioned that a request from the City of Phoenix for two additional PM-10 efficient street sweepers was received after the last Committee meeting and the MAG Transportation Review Committee has recommended approval of the sweeper projects. Mr. Cleveland stated that MAG will be allocating funds for FY 2005 street sweepers and other projects around September, which will give the Committee a major opportunity to address PM-10. He added that the Committee continues to push forward by increasing conversation and awareness and continuing dialog with the construction industry. Mr. Gibbs commented that he attended “The Good, the Bad, and the Dusty” event last year, and commended Maricopa County on their outreach efforts.

6. Valley Telework and Ozone Alert Program Update

Susan Tierney, Regional Public Transportation Authority, provided the Committee with an update on the Valley Telework and Ozone Alert Program. She discussed the telework activities for 2004 and the growth that has occurred. Ms. Tierney also mentioned the Ozone Education and Promotional Activities for 2004. She discussed the Ozone Campaign media buy and played one of the radio advertisements for the Committee. Ms. Tierney provided the results from the 2003 Ozone Campaign. In addition, she discussed the Best Workplaces for Commuters program, which is sponsored by EPA and highlights employers offering outstanding commuter benefits.

Mr. Hyde inquired about the number of jobs that allow telecommuting and how close the Valley is to saturating the telework population. Ms. Tierney responded that because this is an information-based country, telework is becoming more popular, and more possible. She mentioned that 12 percent of the non-homebased employment population telecommute, 91 percent drive alone to work, and 18 percent carpool. She added that there will always be the potential to increase telework participation and that Phoenix has more telecommuters than most metropolitan areas. Mr. Cleveland asked MAG staff to distribute a copy of the presentation to the Committee.

7. Call for Future Agenda Items

Ms. McGennis requested a future agenda item to update the Committee on the Salt River PM-10 State Implementation Plan Revision. Mr. Hyde requested an update on the 2004 ozone season at the next Committee meeting. Ms. Crumbaker stated that she could report on “The Good, the Bad, and the Dusty” event at the July meeting and provide the Committee with a six month PM-10 update at the August meeting. Mr. Cleveland announced that the next meeting of the Committee is tentatively scheduled for July 1, 2004.