

4

When recorded return to:

Clerk of the Board
Pinal County
P.O. Box 827
Florence, Arizona 85232



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
LAURA DEAN-LYTLER

DATE/TIME: 01/08/08 1034
FEE: \$0.00
PAGES: 4
FEE NUMBER: 2008-001863

PINAL COUNTY BOARD OF SUPERVISORS' RESOLUTION NO. 121207-AQ2

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PINAL COUNTY, COMMITTING TO TAKE CERTAIN ACTIONS WITH RESPECT TO CONTROLLING PM10 POLLUTION IN TOWNSHIP 1 NORTH, RANGE 8 EAST, GILA AND SALT RIVER BASE AND MERIDIAN.

WHEREAS, the Pinal County Board of Supervisors ("Board") is empowered under A.R.S. §49-479 to adopt rules for the purpose of controlling the release of air contaminants throughout the County, including Township 1 North, Range 8 East;

WHEREAS, within the respective unincorporated and incorporated portions of Township 1 North, Range 8 East, the Board shares with the City of Apache Junction the obligation to manage the network of paved and unpaved roads;

WHEREAS, 40 CFR §81.303 identifies that portion of Pinal County designated as Township 1 North, Range 8 East, and commonly known as Apache Junction, as a portion of the Phoenix Planning Area Serious PM₁₀ Nonattainment Area;

WHEREAS, consistent with the approved serious area plan for the Phoenix Planning Area Serious PM₁₀ Nonattainment Area, 67 Fed. Reg. 48,718 (July 25, 2002), and the most recent inventory for Apache Junction, unpaved roads are a significant source in Apache Junction.

WHEREAS, at 72 Fed. Reg. 13723 (March 23, 2007) the EPA found that the Phoenix Planning Area, including Township 1 North, Range 8 East, has failed to attain the PM₁₀ standard, and that finding triggered an obligation to submit by December 31, 2007 a "5% SIP" pursuant to Clean Air Act §189(d);

THEREFORE, for the purposes of:

- **Protecting and preserving the quality of air within Pinal County in a sensible and orderly manner;**
- **Committing for purposes of the Phoenix Planning Area PM₁₀ serious nonattainment area "5% SIP" to the definition and enforcement of control measures to achieve reductions from significant PM₁₀ sources in Township 1 north, Range 8 east;**

the Pinal County Board of Supervisors resolves to undertake and perform each of the following measures:

1. **COMMITMENT #1 - Since high-traffic unpaved/dirt roads qualify as a significant source of PM₁₀ emissions, the Board commits to the following measure:**

Measure Title: Dirt Road Paving. In the unincorporated areas of Township 1 north, Range 8 east, pave or stabilize existing county-owned dirt roads that support traffic loads above 150 vehicle trips per day.

Measure Description: The County currently maintains roadways in approximately nine square miles of the northern and eastern portions of Township 1 north Range 8 east. With the exception of several businesses adjoining State Route 88, the entire area is almost exclusively residential. BLM lands lie to the north, and National Forest lies to the east. Most section-line roads on the north and east are segmented and provide only neighborhood access. Almost all internal section-line roads are all paved. Principal collector streets have almost all been stabilized with "asphalt rock dust palliative," which consists of a double chip seal typically applied over a built-up base. For the remaining unpaved roads in the area, the county will identify and assess traffic loads on all existing dirt roads on either a dedicated right-of-way or a county-managed easement of record. The County will pave or chip seal all county-owned roads that have an indicated traffic loading of more than 150 vehicles per day.

Responsible Agency and Authority for Implementation: This measure will be implemented by the Pinal County Public Works Department. Legal authority for this action is provided under A.R.S. §11-251(4).

Implementation Schedule:

1. May 1, 2008 - Complete the inventory of traffic volumes on dirt roadways on dedicated rights-of-way or county-managed easements of record.
2. July 1, 2008 - Submit a budget for dustproofing all affected roadways.
3. December 31, 2009 - Complete paving or dustproofing all affected roadways.

Level of Personnel and Funding Allocated for Implementation:

The roadway inventory will be conducted with existing staff, without additional expense. Estimating a total of four miles of chip sealing, projected expenditure will be \$300,000. Funding will be accomplished either by adding to or re-channeling the Public Works Department Budget for 2008-2009.

Enforcement Program: Not applicable.

Monitoring Program: Under Laws 2007, Chapter 292 (a.k.a. Senate Bill 1552), Section 23, beginning on June 1, 2008, Pinal County is obligated to submit a semi-annual report to the joint legislative budget committee of the Arizona Legislature, documenting the number of miles of streets, roads, alleys, shoulders and vacant areas paved in the Pinal County portion of the Phoenix PM₁₀ serious nonattainment area, namely Township 1 north, Range 8 east.

Copy of the Ordinance, Rule or Regulation: Not applicable.

IN WITNESS WHEREOF, the undersigned, in accord with the vote of the Pinal County Board of Supervisors as duly reflected in the minutes of the Board meeting, have executed this document on behalf of the Board of Supervisors on this 12th day of December

., 2007.

PINAL COUNTY, a political subdivision of the State of Arizona,

By: David Swide
Chairman of the Board of Supervisors

ATTEST: Shea Cluff
Clerk of the Board of Supervisors



APPROVED AS TO FORM:

James P. Walsh
Pinal County Attorney

By: Seymour M. Asunher
Deputy County Attorney

UNOFFICIAL