



March 17, 2023

RE: Support HJR 11 Address Air Pollution in Fairbanks

Dear honorable members of the 33<sup>rd</sup> Alaska Legislature,

The Greater Fairbanks Chamber of Commerce respectfully requests the passage of House Joint Resolution 11, addressing air quality in the Fairbanks North Star Borough.

Most business and political leaders of Alaska's Interior agree that we must improve the air quality in our community. However, there is also agreement that we must do so without sacrificing the local economy, which is already burdened by high energy prices—residents and businesses in the Interior continue to pay twice the national average for heat and electricity.

Through the Fairbanks Chamber's energy, environment, and natural resources and government relations committees, the Chamber has been actively involved for many years in developing solutions to improving the air quality in the non-attainment areas in our community, including participation in the Air Quality Stakeholder Group and frequent meetings with representatives from the Fairbanks North Star Borough (FNSB) and the Alaska Department of Environmental Conservation's (ADEC) air quality divisions.

The Environmental Protection Agency's (EPA) recent decision to partially disapprove the Statewide Implementation Plan (SIP) submitted by the ADEC is extremely concerning. The new "best available control measures" proposed by the EPA will burden our community financially and will not produce meaningful improvements to air quality. We also believe these control measures will potentially further exacerbate the PM2.5 issue.

Most days, emissions from residential heating devices meet standards under the federal Clean Air Act. However, when we experience a temperature inversion, it causes a layer of warm air to sit atop a layer of cold air and acts like a cover on a bowl that keeps particulate emissions from dispersing. This weather phenomenon is outside anyone's control. Still, our community, borough, and state have implemented control measures through prior State Implementation Plans that have significantly reduced PM2.5 in the non-attainment areas.

## EXECUTIVE PARTNERS

### DIAMOND

Alaska Airlines  
Costco Wholesale  
Denali State Bank  
Foundation Health Partners  
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### PLATINUM

ConocoPhillips Alaska  
Doyon, Limited  
Golden Heart Utilities  
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Contango Ore Inc.  
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Doyon Utilities LLC  
First National Bank Alaska  
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Kinross Fort Knox  
Northern Star Resources Limited  
PeopleAK  
TDL Staffing  
TOTE Maritime Alaska  
Usibelli Coal Mine  
Westmark Fairbanks Hotel &  
Fairbanks Princess Riverside Lodge  
Wal-Mart

### SILVER

Ahtna Incorporated  
Alaska Railroad  
AT&T  
Everts Air Cargo, Everts Air AK  
Exclusive Paving/University Redi-Mix  
FNSB Riverside Division  
Full Tilt Mechanical & Construction  
Golden Valley Electric Association  
Interior Gas Utility  
JL Properties, Inc.  
LifeMed Alaska  
Lynden  
MAC Federal Credit Union  
McDonald's of Fairbanks  
Northrim Bank  
Robinson & Ward PC  
Sourdough Fuel  
Spirit of Alaska Federal Credit Union  
Stewart Title Company – Yukon Division  
Tower Hill Mines-Livengood Gold Project  
University of Alaska Fairbanks  
Vivamore Companies

Before the EPA forces our community to implement various control measures, they should take the necessary steps to fix their faulty wood stove certification program. Wood smoke has been identified as the primary contributor to PM2.5, and the borough and state have invested millions of dollars in a community wood stove change-out program. The EPA's failure to have a reliable wood stove certification program likely resulted in installing wood stoves that did little to reduce particulate emissions.

Additionally, we are concerned about the impacts the proposed control measures will have on the transportation sector and major point sources (power plants). Scientists say transportation contributes 6.8% of the particulate pollution, and preliminary results of work done by the state show that the emissions from power plants have no significant effect on the PM2.5 levels in the non-attainment area compared to wood burning. Yet, the EPA is asking the state to consider implementing carpool lanes, retrofitting transit fleets, and new vehicle inspection and maintenance programs. The power plants will be required to install new emission controls. While some of these solutions may have worked in other non-attainment areas of the lower 48, we believe that investing tens of millions of dollars on the EPA's "one-size-fits-all" control measures is an irresponsible use of state, borough, private-sector, and ratepayer monies. Furthermore, these control measures will do little to help the community reach attainment.

Our community continues to work on solutions that will positively impact cleaning our air, such as natural gas conversions and expansion, the installation of a second wood-drying kiln, and continuing the wood-burning curtailment program on days in which the air quality is poor. These ongoing efforts will bring our community into attainment, but we need the EPA to delay its decisions on the SIP until the scientific work being done by the state is completed.

The deadline to provide public comment is March 22, 2023, and we appreciate the legislature's swift action to pass House Joint Resolution 11. Thank you for your continued service to the State of Alaska.

Sincerely,

GREATER FAIRBANKS CHAMBER OF COMMERCE



Jeremy Johnson  
President & CEO



Patrick Cotter  
Board Chair

March 14, 2023

Alaska State Legislature  
*State Capital*  
Juneau, AK 99801

Re: Support for House Joint Resolution 11

Dear Legislators,

As President and CEO of the Fairbanks Economic Development Corporation (FEDC), I write to express FEDC's support for House Joint Resolution 11 (HJR11): a Resolution expressing the sense of the Alaska House of Representatives regarding efforts to reach PM 2.5 Attainment in the Fairbanks North Star Borough (FNSB), and Environmental Protection Agency (EPA) Air Quality actions and Regulation.

The Fairbanks Economic Development Corporation has concerns with a number of the positions staked-out by the EPA relative to the State of Alaska's air quality mitigation regime in the FNSB. Two items of particular concern regard the EPA's apparent intent to precipitously impose requirements that only Ultra-Low Sulfur Diesel may be used to fuel furnace within the community and that local electric power plants install, at great expense, additional scrubbing technologies on their already clean stacks. These requirements will surely, ironically, make local air quality worse - as the substantial increases in both cost of fuel oil and electricity will encourage more wood burning while simultaneously dispossessing homeowners & businesses of the very funds they need to either reduce their energy burden (via performance of efficiency upgrades) or to transition to cleaner alternatives.

For these reasons and more, FEDC supports HJR11 and appreciates the Legislature's engagement on this important local & statewide issue.

Respectfully,



Jomo Stewart  
President & CEO  
Fairbanks Economic Development Corporation



March 15, 2023

U.S. Environmental Protection Agency  
Office of Air Quality Planning & Standards

Subject: Reconsideration of the National Ambient Air Quality Standards for Particulate Matter  
Federal Register Docket ID No. EPA-HQ-OAR-2015-0072; FRL-8635-01-OAR

To Whom It May Concern:

Fairbanks Area Surface Transportation (FAST) Planning is the State-designated Metropolitan Planning Organization (MPO) for the Fairbanks and North Pole area and would like to offer comments on the subject Federal Register Notice dated January 27, 2023. FAST Planning develops the short- and long-range transportation plans for area and has a vested interest in the Fairbanks PM2.5 Serious Non-attainment Area State Implementation Plan (SIP) as it relates to conformity of these plans and potential sanctions on our Federal highway funding.

FAST Planning recently submitted a comment letter to the U.S. Environmental Protection Agency (EPA) on the Air Plan Partial Approval & Partial Disapproval for the Fairbanks North Star Borough in Alaska [Federal Register Docket ID No. EPA-R10-OAR-2022-0115; Comment Tracking No. 1e8-yecx-2cet]. This Federal Register Notice was published on January 10, 2023, just 17 days before this second Federal Register Notice was published to lower the PM2.5 standards. These back-to-back actions have the effect of the EPA doubling down on our community, making a bad situation even worse. Fairbanks is already struggling to meet attainment of current PM2.5 standards and the EPA is poised to initiate sanctions on us within a matter of months. By lowering the PM2.5 standards the EPA will inevitably be digging us a multi-decade deep hole to chase a standard that is unattainable for our community (which is affected by wintertime temperature inversions that trap air pollution at the ground level). This is bad policy decision making to compound these actions on our community and others throughout the U.S.

According to the map provided by the EPA with this latest Federal Register Notice, 112 counties across the U.S. (including Fairbanks) would not meet proposed [lowered] PM2.5 standards. And, of these 112 counties, only 24 counties are totally or partially contained in Non-attainment Areas for the current PM2.5 standards. This will have a cascading effect on a broad range of communities, sectors, and stakeholders, and the EPA should weigh the severe economic impact of this decision. For these reasons, we ask the EPA to maintain the current primary and secondary PM2.5 standards.

Thank you for the opportunity to comment. If you have any questions or need additional information, please contact me at [jackson.fox@fastplanning.us](mailto:jackson.fox@fastplanning.us) or (907) 590-1618.

Sincerely,

**Jackson C. Fox**  
Executive Director

Attachment: FAST Planning Comment Letter to U.S. EPA on Air Plan Partial Approval & Partial Disapproval for the Fairbanks North Star Borough, Alaska, dated February 15, 2023 [Federal Register Docket ID No. EPA-R10-OAR-2022-0115; Comment Tracking No. le8-yecx-2cet]

Copy: **Alaska Congressional Delegation**

Senator Lisa Murkowski  
Senator Dan Sullivan  
Representative Mary Sattler Peltola

**Alaska Office of the Governor**

Governor Mike Dunleavy  
Commissioner Ryan Anderson, Alaska Dept. of Transportation & Public Facilities  
Commissioner Jason Brune, Alaska Dept. of Environmental Conservation

**Alaska State Legislature Interior Delegation**

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Jason Olds, Air Quality Division Director, Alaska Dept. of Environmental Conservation  
Joe Kemp, Northern Region Director, Alaska Dept. of Transportation & Public Facilities



February 15, 2023

U.S. Environmental Protection Agency, Region 10  
Federal Register Docket ID No. **EPA-R10-OAR-2022-0115**

Subject: Air Plan Partial Approval & Partial Disapproval  
2006 24-Hour PM<sub>2.5</sub> Serious Area and 189(d) Plan  
Fairbanks North Star Borough, Alaska

To Whom It May Concern:

Fairbanks Area Surface Transportation (FAST) Planning is the State-designated Metropolitan Planning Organization (MPO) for the Fairbanks and North Pole area and would like to offer comments on the subject Federal Register Notice dated January 10, 2023. FAST Planning develops the short- and long-range transportation plans for area and has a vested interest in the Fairbanks PM<sub>2.5</sub> Serious Non-attainment Area State Implementation Plan (SIP) as it relates to conformity of these plans and potential sanctions on Federal highway funding. All of FAST Planning's comments focus exclusively on the transportation sections of the Federal Register Notice. A summary of the comments is provided below, followed by more detailed comments for specific Sections of the Federal Register Notice.

- The EPA's approach to categorically disapprove the State's rejection of certain transportation control measures was not consistent across all measures, in two cases found to be contradictory, and appears to narrowly rely on one section of the 2016 Final Rule for SIP Requirements [81 FR 58010] that does not apply while disregarding other related and pertinent sections of that Rule
- The EPA appears to be asking the State to consider implementing transportation control measures that have limited/no emission reduction to PM<sub>2.5</sub> levels – the primary pollutant of concern in the Non-attainment Area – and without regard to cost to the community
- The EPA found the motor vehicle emission budgets were clearly identified precisely quantified with appropriate consultation, but were disapproved because they did not consider the aforementioned transportation control measures that have limited/no emission reduction to PM<sub>2.5</sub> levels, which would not measurably affect the proposed budgets
- The EPA does not provide credit to the State for existing and ongoing transportation control measures listed in the SIP for which \$2 million per year in Congestion Mitigation & Air Quality (CMAQ) funding is invested in transportation projects in the Non-attainment Area that improve air quality; an investment required by Federal regulation [23 USC 149(k)]
- The Clean Air Act of 1970 was passed to protect public health and welfare at a time when pollution from vehicles was serious problem in urban areas and included a correlated sanction for withholding Federal highway funding, yet in present time the EPA touts major successes in vehicle pollution control in the U.S. by stating vehicles today are 99% cleaner for most tailpipe pollutants than in 1960s and 1970s; thus, making the 53-year old sanction no longer relevant
- On-road mobile emissions in the Non-attainment Area only comprise 6.8% of the area emissions contribution, yet the EPA is threatening to use the 53-year old sanction to withhold Federal highway funding, which is not correlated nor will contribute to solving the problem

- The sanction would severely impact the Alaska Department of Transportation & Public Facilities (DOT&PF) and FAST Planning, which have no control or influence over other emission sources (i.e. woodsmoke) that are actually causing the problem
- These punitive measures on transportation make the appearance the EPA is not truly focusing on helping solve the problem (i.e. efforts where progress can be made in the highest emission source categories)
- Based on more detailed comments to follow, the EPA should issue a “protective finding” to eliminate the possibility of a conformity freeze and sanctions on Federal highway funding

### Section III.C – Control Strategies: Emissions from Mobile Sources

In November 2020 the Alaska Department of Environmental Conservation (ADEC) adopted a Control Measure Analysis for the 2020 Amendment to the Fairbanks PM2.5 Serious Non-attainment Area SIP. This analysis described the process of identification and selection of Best Available Control Measures for the SIP and considered several transportation control measures for emission reductions from mobile sources. ADEC’s analysis rejected many of the transportation control measures based on detailed assessments they would have limited/no reductions to PM2.5 levels. Examples of rejected control measures included high-occupancy vehicle lanes, traffic flow improvement program, non-motorized traffic zones, employee-sponsored flexible work schedules, school bus retrofits, new I/M programs, vehicle idling restrictions, and vanpools.

In both the Federal Register Notice (EPA-R10-OAR-2022-0115) and EPA’s Technical Support Document (September 27, 2022) for ADEC’s Control Measure Analysis, the EPA disapproved ADEC’s rejection of half of these transportation control measures stating ADEC had not adequately demonstrated the measures are either technologically or economically infeasible. The EPA further stated these measures cannot be dismissed based on an assessment they would have de minimis reduction to PM2.5 levels. In the same Technical Support Document, however, the EPA concurred with ADEC’s rejection of vehicle I/M programs by stating “Given that a vehicle I/M program would not produce emissions reduction for PM or plan precursors, ADEC was reasonable to dismiss this measure from further consideration.”

FAST Planning finds these statements troubling for two reasons: (1) the EPA is contradicting itself on approval and disapproval of control measure rejections based on limited/no reductions to PM2.5 levels, and (2) the EPA appears to be asking ADEC to consider implementing control measures that have limited/no emission reduction to PM2.5 levels – the primary pollutant of concern in the Serious Non-attainment Area – without regard to cost to the community.

In the Federal Register Notice the EPA cites a 2016 Final Rule for SIP Requirements (81 FR 58010, August 24, 2016, Page 58082) for a “No de Minimis Source Category Analysis for PM2.5 NAAQS Implementation.” This was the EPA’s source for disapproval of control measure rejections based on de minimis findings and request to ADEC to demonstrate the measures are either technologically or economically infeasible. However, the EPA incorrectly interpreted the 2016 Final Rule which states “After taking the range of comments on the de minimis source category concept into consideration, the EPA has decided to not finalize a de minimis source category approach for the purposes of implementing the PM2.5 NAAQS.” A “source category” would be “Transportation Control Measures” as a whole category for example, not the individual control measures. ADEC did not dismiss the source category for Transportation, only individual control measures. In addition, FAST Planning would like to note the 2016 Final Rule requirements for Best Available Control Measures (Page 58086) also states the following:



*“For each technologically feasible emission control measure or technology, the state must provide the following information relevant to economic feasibility: (i) The **control efficiency by pollutant**; (ii) the **possible emissions reductions by pollutant**; (iii) the **estimated cost per ton of pollutant reduced**; and, (iv) a determination of whether the measure is economically feasible, with narrative explanation and quantitative supporting documentation to justify the state’s conclusion.”*

Based on this language it seems clear all the control measures rejected by ADEC based on detailed assessments they would have limited/no reductions to PM2.5 levels would not pass the test as economically feasible (i.e. be cost effective), even if they are technologically feasible. The EPA even appears to support this determination in the Technical Support Document by concurring with ADEC that adoption of low emission vehicle emission standards would not be cost effective based on the cost per ton of emissions reduced and therefore would be economically infeasible. This is yet another example of how the EPA’s approach was inconsistent and sometimes contradictory in approving and disapproving the State’s rejection of certain transportation control measures.

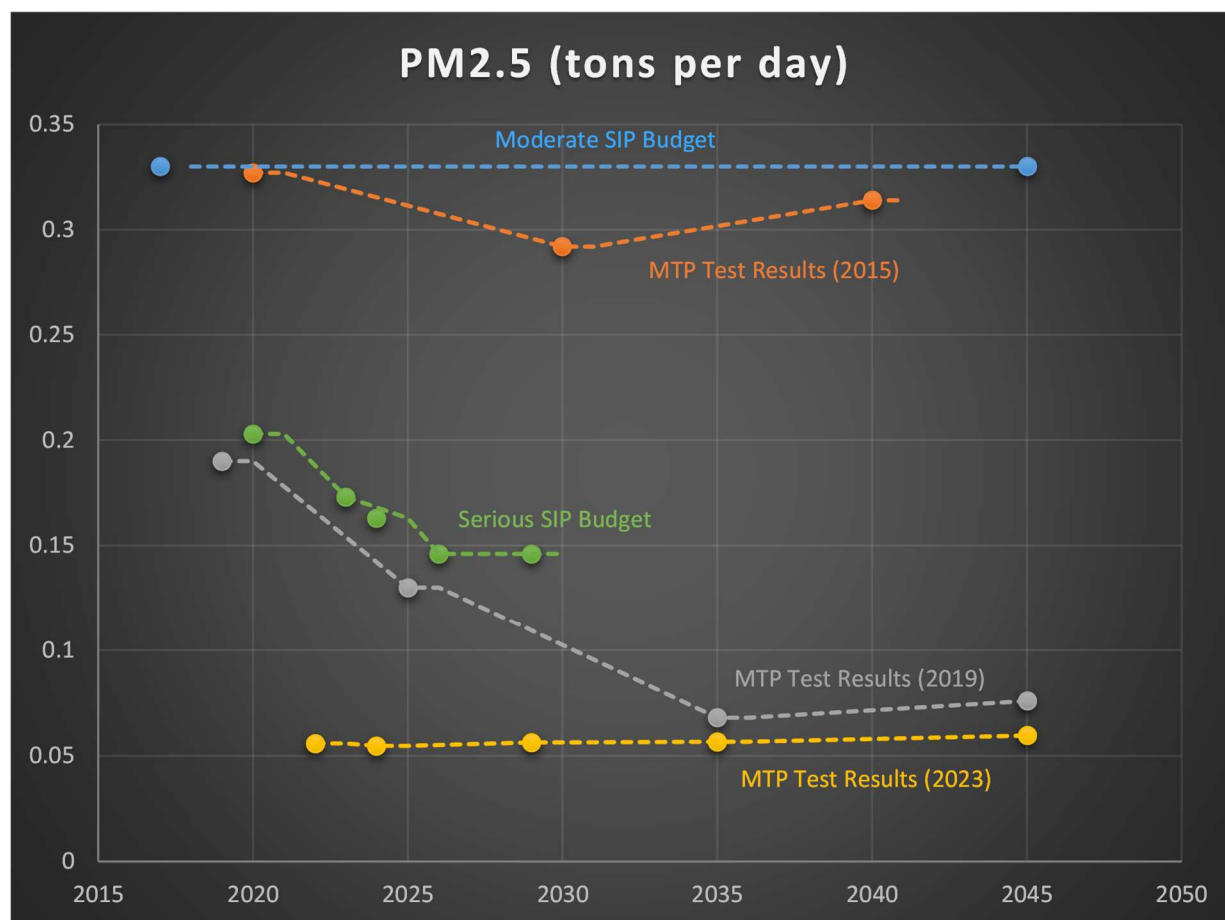
In addition, FAST Planning would like to note some of the ADEC-rejected control measures that the EPA wants ADEC to consider implementing are not warranted or appropriate (i.e. technologically feasible) for Fairbanks’ population size and lack of congested roadways. A good example would be high-occupancy vehicle lanes, which are generally intended for communities with a regional population over 1.5 million people that experiences severe congestion with motorists trying to access major employment centers/business districts. According to the Federal Highway Administration’s 2021 National Inventory of Specialty Lanes & Highways, there are only 18 states with high-occupancy vehicle lanes, all of which serve major population centers. Fairbanks’ population within the urbanized area is only 70,000 and does not have the population or congestion on its roadways that would even remotely have the need for such lanes.

### Section III.H – Motor Vehicle Emission Budgets for Air Quality Conformity

In the Federal Register Notice the EPA found the motor vehicle emission budgets submitted by ADEC were clearly identified and precisely quantified with appropriate consultation, but disapproved the budgets “Since the budgets must account for other control measures to determine the appropriate motor vehicle budgets, and the control strategy does not include all required control measures, then the budgets will necessarily be deficient.” FAST Planning interprets this finding to mean the budgets were disapproved because the EPA disapproved of ADEC’s rejection of certain transportation control measures in Section III.C (described above) – all of which have been assessed by ADEC to have limited/no reductions to PM2.5 levels. Factoring into the budget calculations measures that have limited/no reduction to PM2.5 should have little to no effect on the budgets, so this does not seem like a logical reason to disapprove the budget.

On the next page is a graph comparing the Moderate SIP motor vehicle emission budgets to the Serious SIP budgets, including FAST Planning’s regional emission analysis test results for the current and past Metropolitan Transportation Plans. The newly proposed Serious SIP budgets (0.20 to 0.15 tons/day) are more stringent than the past-approved Moderate SIP budgets (0.33 tons/day), and FAST Planning’s latest test results show modeled actual emissions at 0.05 tons/day. Considering the EPA’s request to factor in new transportation control measures that have limited/no reduction to PM2.5 that will have little to no effect on the budgets, it will not change the outcome of the latest regional emission analysis test results meeting conformity.





### Section III.C: Voluntary Measures in the PM2.5 Non-attainment Area

In ADEC’s adopted Control Measure Analysis submitted with the SIP, a list of “voluntary” transportation control measures was included for existing and ongoing transportation programs in the Fairbanks PM2.5 Non-attainment Area such as the expansion of transit service, motor vehicle plug-ins, public education and outreach, and anti-idling measures. However, in the EPA’s Technical Support Document they state, “none of these programs appear to be submitted for SIP approval.” This is a confusing statement and appears the EPA is not providing credit for existing and ongoing transportation control measures. The term “voluntary” for these measures is also a misnomer. Federal regulations [23 USC 149(k)] require States to set aside 25% of the State’s CMAQ funding apportionment for PM2.5 Non-attainment and Maintenance Areas. This funding is referred to by the Alaska DOT&PF as “CMAQ-Mandatory” funding and \$2 million per year is invested for transportation projects that improve air quality in the Fairbanks PM2.5 Non-attainment Area.

Need ID: 29232 Name: Committed Measures for the Fairbanks SIP							Ph	Fund	FFY20	FFY21	FFY22	FFY23	After 2023
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s							
REQD	N	5	Fairbanks	N/A	Congestion		0	CMAQ-M	1,728,430	1,728,430	1,922,047	1,960,487	
<b>Description:</b> Funding for transportation projects and programs that are committed and contingency measures listed in the State Implementation Plan (SIP) for the Fairbanks PM2.5 Non-attainment Area, and non-SIP projects that are evaluated and scored by the Fairbanks area CMAQ Project Evaluation Board.							0	SM	171,570	171,570	180,095	183,697	
							<b>Totals:</b>						

To better understand how this funding is invested, FAST Planning would like to provide the EPA the list of projects this funding was used for over the past 10 years (2011 to present; >\$20 million invested):

- FMATS “Don’t be Fuelish” Campaign
- Fairbanks Commuter Vanpool Rideshare Options Coordinator
- Fairbanks Regional Travel Demand Model Update
- Fairbanks Regional Household Travel Survey
- Vehicle Miles Traveled (VMT) & Classification Study
- FNSB Fairbanks PM2.5 Non-Attainment Area SIP
- FNSB Air Quality Education Outreach Program
- Highway Dynamic Messaging Signs (air quality alerts, hazardous road conditions, detours)
- FNSB Diesel Engine Emissions Reduction Pilot Program
- Alaska DOT&PF Heavy Duty Fleet Vehicles Diesel Anti-Idling Maintenance & Emission Pilot Program
- Alaska DOT&PF Adaptive Signal Control (Airport Way, University, Peger, Geist, Johansen, College Road)
- MACS Transit Eielson/Salcha Bus Service
- MACS Transit Van Horn Bus Service
- MACS Transit Purple Line (additional bus on Purple Line serving South Cushman/Hamilton Acres)
- MACS Transit Bus Stop Shelters (20 total)
- MACS Transit CNG Fueling Infrastructure
- MACS Transit CNG Buses (pending)
- UAF Free Transit Rides (for students and staff riding MACS Transit)
- Motor Vehicle Plug-ins: West Valley & North Pole High Schools
- Motor Vehicle Plug-ins: Carlson Center, Noel Wien Library, North Pole Library, Big Dipper
- Motor Vehicle Plug-ins: Birch Hill, Chena Lakes, & Tanana Lakes Recreation Areas
- Tanana Lakes Recreation Area South Lathrop Extension & Parking Area
- Pearl Creek Elementary Access & Circulation Improvements (including motor vehicle plug-ins)
- City of Fairbanks Pedestrian Facilities Upgrade (Aurora, Cowles, Lacey, 5th, 6th, 7th, 8th, 9th, 10th)
- University Avenue South Bicycle & Pedestrian Path (Mitchell to Armistead; Airport East Ramp)
- Peger Road Bicycle & Pedestrian Path (east side; Chena River bridge to Airport Way)
- City of North Pole Snow Removal & Street Sweeping Equipment (for bike/ped paths)
- FNSB Snow Removal & Street Sweeping Equipment (for bike/ped paths near schools)
- City of Fairbanks Sidewalk Snow Removal Equipment
- Alaska DOT&PF Sidewalk Snow Removal Equipment
- Alaska DOT&PF Bi-directional Two-Way Tow Plow

FAST Planning’s Technical Committee and Policy Board serves as the project evaluation board for these projects. See <https://fastplanning.us/cmaq/> to view the scoring criteria, nomination form, and more detailed funding information. All projects nominated to FAST Planning for these funds are reviewed by the Federal Highway Administration for eligibility, transmitted to a third-party consultant to calculate emission benefits, and ranked by their estimated Wintertime (October to March) PM2.5 pollutant reduction.

In addition to this \$2 million per year of CMAQ-Mandatory funding for the Fairbanks PM2.5 Non-attainment Area, the Alaska DOT&PF also provides an additional \$800,000 per year in more flexible CMAQ funds to FAST Planning for local transportation projects and programs that improve air quality (see next page).

Need ID: 17663 Name: FAST CMAQ Allocation							Ph	Fund	FFY20	FFY21	FFY22	FFY23	After 2023
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	0	CMAQ-M	727,760	727,760	727,760	727,760	
REQD	N	5	Fairbanks		Congestion		0	SM	72,240	72,240	72,240	72,240	
Description: This project is additional allocation for qualifying projects utilizing federal Congestion Mitigation and Air Quality Improvement (CMAQ) funding. See FAST TIP for projects.							Totals: 800,000 800,000 800,000 800,000 1,600,000						

The Alaska DOT&PF has also invested over \$20 million in additional CMAQ funding for a comprehensive signal interconnect project in the Fairbanks PM2.5 Non-attainment Area. This has improved capabilities of the Alaska DOT&PF Northern Region office to communicate with signals, allowing for remote access and immediate troubleshooting, signal timing modifications, and monitoring at single/multiple locations. This has measurably improved travel time and reduced traffic delay, congestion, and idling at signals.

Need ID: 27010 Name: Northern Region Signal Interconnect							Ph	Fund	FFY20	FFY21	FFY22	FFY23	After 2023
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	4	CMAQ-F	150,000	0	0	0	
REQD	N	60	Northern Region		ITS		4	CMAQ-M	4,473,500	4,548,500	4,548,500	4,548,500	
Description: Improve capabilities of the Northern Region to communicate with signals, allowing for troubleshooting, signal timing modifications, and monitoring at single/multiple location(s). Project will include upgrades at NR Headquarters and incorporate improvements to interconnecting communication systems (for security and reliability), controller upgrades, signal timing plans, and other related items. Provide any related items and Training, Maintenance, and Operational funding as allowed by ITS.							4	SM	451,500	451,500	451,500	451,500	
							Totals: 5,075,000 5,000,000 5,000,000 5,000,000 0						

Alaska also has a “Roundabout First” Policy (see <https://dot.alaska.gov/stwddes/dcstraffic/roundabouts.shtml>), which has led to the construction of 13 roundabouts in the Fairbanks PM2.5 Non-attainment Area, and three more are programmed to be constructed within the next five years. Roundabouts are included in the Federal Highway Administration’s CMAQ Toolkit as a proven air quality improvement measure because of their reduction to congestion and improvements to traffic flow along roadways, which improves roadway performance and reduces emissions from passing vehicles.

The EPA should provide credit for all these existing and ongoing transportation control measures (>\$50 million total invested over the past 10 years) for the Fairbanks PM2.5 Non-attainment Area in the SIP.

## Section IV.A – Clean Air Act’s Provision for Sanctions

With the rapid increase in numbers of motor vehicles and urbanization through the 1900s, the Clean Air Act of 1970 gave the [newly-formed] EPA the legal authority to regulate pollution from vehicles and other forms of transportation. Over time the EPA has touted major successes in vehicle pollution control in the U.S., including but not limited to:

- New passenger vehicles are 98-99% cleaner for most tailpipe pollutants compared to the 1960s
- New heavy-duty trucks and buses are roughly 99% cleaner than 1970 models
- Fuels are much cleaner—lead has been eliminated, and sulfur levels are more than 90% lower than they were prior to regulation
- U.S. cities have much improved air quality, despite ever increasing population and increasing vehicle miles traveled

Source: <https://www.epa.gov/transportation-air-pollution-and-climate-change/history-reducing-air-pollution-transportation>

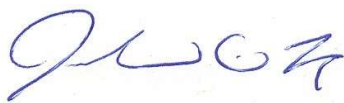
Sanctions on Federal highway funding as a penalty for air quality compliance violations were included in the original Clean Air Act of 1970, strengthened in the 1990 Amendments to the Clean Air Act, and still remain in law today. However, the relevancy of these sanctions has clearly diminished over time based on the statistics provided by the EPA. In the Fairbanks PM2.5 Non-attainment Area for example, on-road mobile emissions only comprise 6.8% of the area emissions contribution. Transportation is clearly not the problem, nor will withholding Federal highway funding contribute in any way to solving the problem. The EPA is nevertheless threatening use of these sanctions for the Fairbanks PM2.5 Non-attainment Area using a 53-year old law that lacks relevancy to the problem and punishes the Alaska DOT&PF and FAST Planning, which has no control over other emission sources (i.e. woodsmoke) that are actually causing the problem. If the EPA was truly invested in helping solve the problem they should change their mission and focus efforts where progress can be made in the highest emission source categories. The EPA's threat of using these sanctions is archaic and an indisputable example of a punishment that does not fit the crime.

### Section IV.C – Ramifications Regarding Transportation Conformity

The Federal Register Notice states “If EPA finalizes the disapproval of the attainment demonstration SIP without a protective finding, a conformity freeze will be in place as of the effective date of the disapproval.” The only citation for a protective finding provided was 40 CFR 93.120(a)(2), which does not provide sufficient clarity on how the EPA shall consider granting a protective finding. FAST Planning's understanding of the Federal regulation in relation to the Federal Register Notice is that the EPA cannot issue a protective finding demonstrating attainment of the proposed SIP motor vehicle emission budgets because the EPA is disapproving the budgets because the EPA is disapproving ADEC's adoption/rejection of transportation control measures. The comments contained in this letter, however, should lead the EPA to approve the ADEC's transportation control measure analysis and proposed motor vehicle emission budgets. In addition, FAST Planning has demonstrated in this letter the latest regional emission analysis test results (January 2023) will meet the proposed Serious SIP motor vehicle emission budgets. We therefore request the EPA issue a protective finding to eliminate the possibility of a conformity freeze.

Thank you for the opportunity to comment. If you have any questions or need additional information, please contact me at [jackson.fox@fastplanning.us](mailto:jackson.fox@fastplanning.us) or (907) 590-1618.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. C. Fox', is positioned above a horizontal line.

**Jackson C. Fox**  
Executive Director

Copy: **Alaska Congressional Delegation**

Senator Lisa Murkowski  
Senator Dan Sullivan  
Representative Mary Sattler Peltola

**Alaska Office of the Governor**

Governor Mike Dunleavy  
Commissioner Ryan Anderson, Alaska Dept. of Transportation & Public Facilities  
Commissioner Jason Brune, Alaska Dept. of Environmental Conservation

**Alaska State Legislature Interior Delegation**

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Senator Scott Kawasaki  
Senator Robert Myers  
Representative Ashley Carrick  
Representative Mike Cronk  
Representative Maxine Dibert  
Representative Mike Prax  
Representative Frank Tomaszewski  
Representative Will Stapp

**FAST Planning Policy Board**

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Jerry Cleworth, Council Member, City of Fairbanks  
Brett Rotermond, Assembly Member, Fairbanks North Star Borough  
Jason Olds, Air Quality Division Director, Alaska Dept. of Environmental Conservation  
Joe Kemp, Northern Region Director, Alaska Dept. of Transportation & Public  
Facilities



March 16, 2023

To: Clifton Coghill, Legislative Aide, House District 32

From: Jackson Fox, Executive Director, FAST Planning

Subject: **Support for House Joint Resolution No. 11**

Fairbanks Area Surface Transportation (FAST) Planning is the State-designated Metropolitan Planning Organization (MPO) for the Fairbanks and North Pole area and I would like to offer our support for House Joint Resolution No. 11. FAST Planning develops the short- and long-range transportation plans for area and has a vested interest in the Fairbanks PM2.5 Serious Non-attainment Area State Implementation Plan (SIP) as it relates to conformity of these plans and potential sanctions on our Federal highway funding.

Our Policy Board recently approved and submitted comment letters to the U.S. Environmental Protection Agency (EPA) on the Partial Disapproval of the Fairbanks SIP, as well as the EPA's latest proposal to lower the nationwide PM2.5 standards. These back-to-back actions by the EPA could have a severe economic impact to our community and prolong our struggle to meet attainment. The statements and sentiments included in House Joint Resolution No. 11 are consistent with our Policy Board's views on this issue, and I am therefore happy to offer our support. Please find attached our Board's comment letters to the EPA for reference material.

Thank you for the opportunity to comment on this Resolution. If you have any questions or need additional information, please contact me at [jackson.fox@fastplanning.us](mailto:jackson.fox@fastplanning.us) or (907) 590-1618.

Sincerely,

**Jackson C. Fox**  
Executive Director

Attachment: FAST Planning Comment Letter to U.S. EPA on Air Plan Partial Approval & Partial Disapproval for the Fairbanks North Star Borough, Alaska, dated February 15, 2023 [Federal Register Docket ID No. EPA-R10-OAR-2022-0115; Comment Tracking No. le8-yecx-2cet]

FAST Planning Comment Letter to U.S. EPA on Reconsideration of the National Ambient Air Quality Standards for Particulate Matter [Federal Register Docket ID No. EPA-HQ-OAR-2015-0072; Comment Tracking No. lfb-cvio-ph9g]





March 15, 2023

U.S. Environmental Protection Agency  
Office of Air Quality Planning & Standards

Subject: Reconsideration of the National Ambient Air Quality Standards for Particulate Matter  
Federal Register Docket ID No. EPA-HQ-OAR-2015-0072; FRL-8635-01-OAR

To Whom It May Concern:

Fairbanks Area Surface Transportation (FAST) Planning is the State-designated Metropolitan Planning Organization (MPO) for the Fairbanks and North Pole area and would like to offer comments on the subject Federal Register Notice dated January 27, 2023. FAST Planning develops the short- and long-range transportation plans for area and has a vested interest in the Fairbanks PM2.5 Serious Non-attainment Area State Implementation Plan (SIP) as it relates to conformity of these plans and potential sanctions on our Federal highway funding.

FAST Planning recently submitted a comment letter to the U.S. Environmental Protection Agency (EPA) on the Air Plan Partial Approval & Partial Disapproval for the Fairbanks North Star Borough in Alaska [Federal Register Docket ID No. EPA-R10-OAR-2022-0115; Comment Tracking No. 1e8-yecx-2cet]. This Federal Register Notice was published on January 10, 2023, just 17 days before this second Federal Register Notice was published to lower the PM2.5 standards. These back-to-back actions have the effect of the EPA doubling down on our community, making a bad situation even worse. Fairbanks is already struggling to meet attainment of current PM2.5 standards and the EPA is poised to initiate sanctions on us within a matter of months. By lowering the PM2.5 standards the EPA will inevitably be digging us a multi-decade deep hole to chase a standard that is unattainable for our community (which is affected by wintertime temperature inversions that trap air pollution at the ground level). This is bad policy decision making to compound these actions on our community and others throughout the U.S.

According to the map provided by the EPA with this latest Federal Register Notice, 112 counties across the U.S. (including Fairbanks) would not meet proposed [lowered] PM2.5 standards. And, of these 112 counties, only 24 counties are totally or partially contained in Non-attainment Areas for the current PM2.5 standards. This will have a cascading effect on a broad range of communities, sectors, and stakeholders, and the EPA should weigh the severe economic impact of this decision. For these reasons, we ask the EPA to maintain the current primary and secondary PM2.5 standards.

Thank you for the opportunity to comment. If you have any questions or need additional information, please contact me at [jackson.fox@fastplanning.us](mailto:jackson.fox@fastplanning.us) or (907) 590-1618.

Sincerely,

**Jackson C. Fox**  
Executive Director



Attachment: FAST Planning Comment Letter to U.S. EPA on Air Plan Partial Approval & Partial Disapproval for the Fairbanks North Star Borough, Alaska, dated February 15, 2023  
[Federal Register Docket ID No. EPA-R10-OAR-2022-0115; Comment Tracking No. le8-yecx-2cet]

Copy: **Alaska Congressional Delegation**

Senator Lisa Murkowski  
Senator Dan Sullivan  
Representative Mary Sattler Peltola

**Alaska Office of the Governor**

Governor Mike Dunleavy  
Commissioner Ryan Anderson, Alaska Dept. of Transportation & Public Facilities  
Commissioner Jason Brune, Alaska Dept. of Environmental Conservation

**Alaska State Legislature Interior Delegation**

Senator Click Bishop  
Senator Scott Kawasaki  
Senator Robert Myers  
Representative Ashley Carrick  
Representative Mike Cronk  
Representative Maxine Dibert  
Representative Mike Prax  
Representative Frank Tomaszewski  
Representative Will Stapp

**FAST Planning Policy Board**

Mayor Bryce Ward, Fairbanks North Star Borough  
Mayor David Pruhs, City of Fairbanks  
Mayor Michael Welch, City of North Pole  
Jerry Cleworth, Council Member, City of Fairbanks  
Brett Rotermund, Assembly Member, Fairbanks North Star Borough  
Jason Olds, Air Quality Division Director, Alaska Dept. of Environmental Conservation  
Joe Kemp, Northern Region Director, Alaska Dept. of Transportation & Public Facilities



February 15, 2023

U.S. Environmental Protection Agency, Region 10  
Federal Register Docket ID No. **EPA-R10-OAR-2022-0115**

Subject: Air Plan Partial Approval & Partial Disapproval  
2006 24-Hour PM<sub>2.5</sub> Serious Area and 189(d) Plan  
Fairbanks North Star Borough, Alaska

To Whom It May Concern:

Fairbanks Area Surface Transportation (FAST) Planning is the State-designated Metropolitan Planning Organization (MPO) for the Fairbanks and North Pole area and would like to offer comments on the subject Federal Register Notice dated January 10, 2023. FAST Planning develops the short- and long-range transportation plans for area and has a vested interest in the Fairbanks PM<sub>2.5</sub> Serious Non-attainment Area State Implementation Plan (SIP) as it relates to conformity of these plans and potential sanctions on Federal highway funding. All of FAST Planning's comments focus exclusively on the transportation sections of the Federal Register Notice. A summary of the comments is provided below, followed by more detailed comments for specific Sections of the Federal Register Notice.

- The EPA's approach to categorically disapprove the State's rejection of certain transportation control measures was not consistent across all measures, in two cases found to be contradictory, and appears to narrowly rely on one section of the 2016 Final Rule for SIP Requirements [81 FR 58010] that does not apply while disregarding other related and pertinent sections of that Rule
- The EPA appears to be asking the State to consider implementing transportation control measures that have limited/no emission reduction to PM<sub>2.5</sub> levels – the primary pollutant of concern in the Non-attainment Area – and without regard to cost to the community
- The EPA found the motor vehicle emission budgets were clearly identified precisely quantified with appropriate consultation, but were disapproved because they did not consider the aforementioned transportation control measures that have limited/no emission reduction to PM<sub>2.5</sub> levels, which would not measurably affect the proposed budgets
- The EPA does not provide credit to the State for existing and ongoing transportation control measures listed in the SIP for which \$2 million per year in Congestion Mitigation & Air Quality (CMAQ) funding is invested in transportation projects in the Non-attainment Area that improve air quality; an investment required by Federal regulation [23 USC 149(k)]
- The Clean Air Act of 1970 was passed to protect public health and welfare at a time when pollution from vehicles was serious problem in urban areas and included a correlated sanction for withholding Federal highway funding, yet in present time the EPA touts major successes in vehicle pollution control in the U.S. by stating vehicles today are 99% cleaner for most tailpipe pollutants than in 1960s and 1970s; thus, making the 53-year old sanction no longer relevant
- On-road mobile emissions in the Non-attainment Area only comprise 6.8% of the area emissions contribution, yet the EPA is threatening to use the 53-year old sanction to withhold Federal highway funding, which is not correlated nor will contribute to solving the problem

- The sanction would severely impact the Alaska Department of Transportation & Public Facilities (DOT&PF) and FAST Planning, which have no control or influence over other emission sources (i.e. woodsmoke) that are actually causing the problem
- These punitive measures on transportation make the appearance the EPA is not truly focusing on helping solve the problem (i.e. efforts where progress can be made in the highest emission source categories)
- Based on more detailed comments to follow, the EPA should issue a “protective finding” to eliminate the possibility of a conformity freeze and sanctions on Federal highway funding

### Section III.C – Control Strategies: Emissions from Mobile Sources

In November 2020 the Alaska Department of Environmental Conservation (ADEC) adopted a Control Measure Analysis for the 2020 Amendment to the Fairbanks PM2.5 Serious Non-attainment Area SIP. This analysis described the process of identification and selection of Best Available Control Measures for the SIP and considered several transportation control measures for emission reductions from mobile sources. ADEC’s analysis rejected many of the transportation control measures based on detailed assessments they would have limited/no reductions to PM2.5 levels. Examples of rejected control measures included high-occupancy vehicle lanes, traffic flow improvement program, non-motorized traffic zones, employee-sponsored flexible work schedules, school bus retrofits, new I/M programs, vehicle idling restrictions, and vanpools.

In both the Federal Register Notice (EPA-R10-OAR-2022-0115) and EPA’s Technical Support Document (September 27, 2022) for ADEC’s Control Measure Analysis, the EPA disapproved ADEC’s rejection of half of these transportation control measures stating ADEC had not adequately demonstrated the measures are either technologically or economically infeasible. The EPA further stated these measures cannot be dismissed based on an assessment they would have de minimis reduction to PM2.5 levels. In the same Technical Support Document, however, the EPA concurred with ADEC’s rejection of vehicle I/M programs by stating “Given that a vehicle I/M program would not produce emissions reduction for PM or plan precursors, ADEC was reasonable to dismiss this measure from further consideration.”

FAST Planning finds these statements troubling for two reasons: (1) the EPA is contradicting itself on approval and disapproval of control measure rejections based on limited/no reductions to PM2.5 levels, and (2) the EPA appears to be asking ADEC to consider implementing control measures that have limited/no emission reduction to PM2.5 levels – the primary pollutant of concern in the Serious Non-attainment Area – without regard to cost to the community.

In the Federal Register Notice the EPA cites a 2016 Final Rule for SIP Requirements (81 FR 58010, August 24, 2016, Page 58082) for a “No de Minimis Source Category Analysis for PM2.5 NAAQS Implementation.” This was the EPA’s source for disapproval of control measure rejections based on de minimis findings and request to ADEC to demonstrate the measures are either technologically or economically infeasible. However, the EPA incorrectly interpreted the 2016 Final Rule which states “After taking the range of comments on the de minimis source category concept into consideration, the EPA has decided to not finalize a de minimis source category approach for the purposes of implementing the PM2.5 NAAQS.” A “source category” would be “Transportation Control Measures” as a whole category for example, not the individual control measures. ADEC did not dismiss the source category for Transportation, only individual control measures. In addition, FAST Planning would like to note the 2016 Final Rule requirements for Best Available Control Measures (Page 58086) also states the following:

*“For each technologically feasible emission control measure or technology, the state must provide the following information relevant to economic feasibility: (i) The **control efficiency by pollutant**; (ii) the **possible emissions reductions by pollutant**; (iii) the **estimated cost per ton of pollutant reduced**; and, (iv) a determination of whether the measure is economically feasible, with narrative explanation and quantitative supporting documentation to justify the state’s conclusion.”*

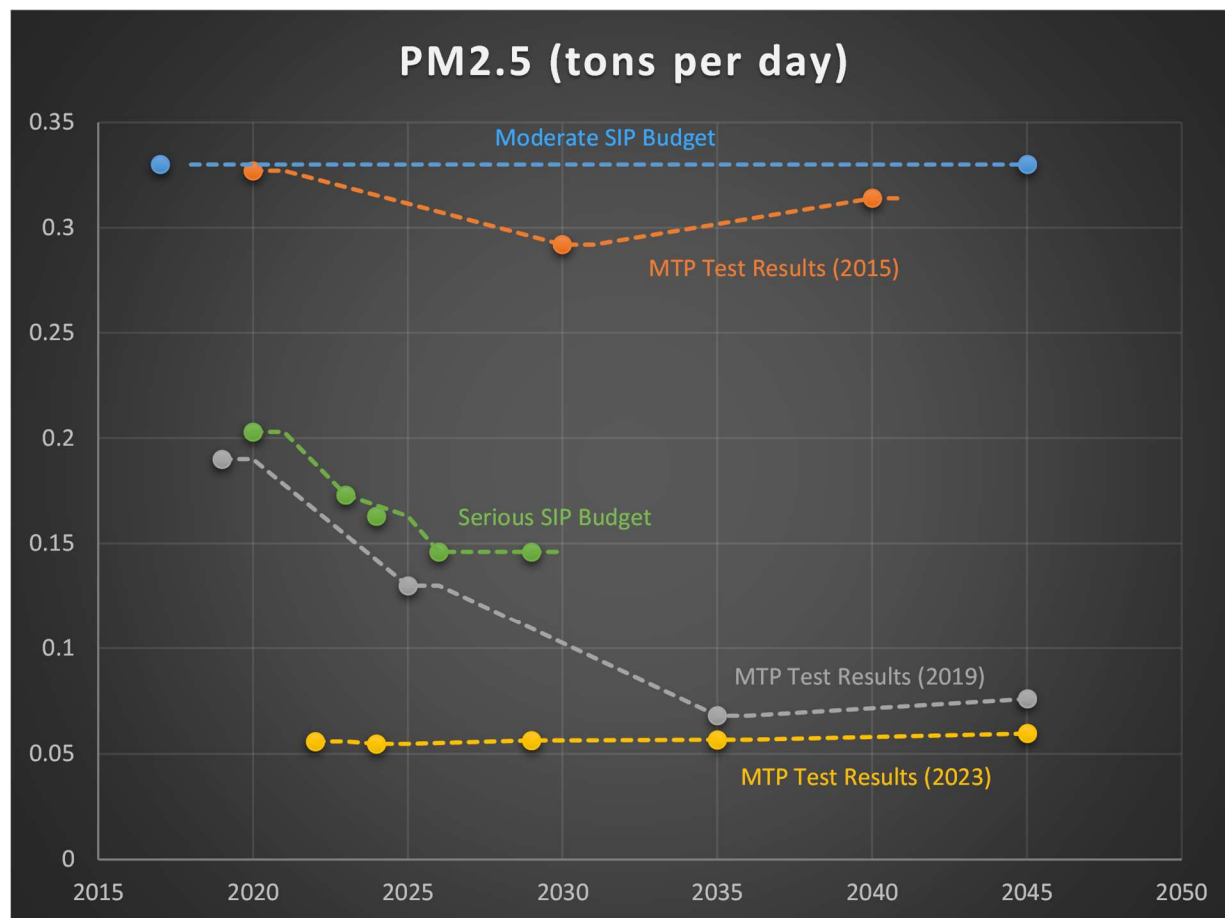
Based on this language it seems clear all the control measures rejected by ADEC based on detailed assessments they would have limited/no reductions to PM2.5 levels would not pass the test as economically feasible (i.e. be cost effective), even if they are technologically feasible. The EPA even appears to support this determination in the Technical Support Document by concurring with ADEC that adoption of low emission vehicle emission standards would not be cost effective based on the cost per ton of emissions reduced and therefore would be economically infeasible. This is yet another example of how the EPA’s approach was inconsistent and sometimes contradictory in approving and disapproving the State’s rejection of certain transportation control measures.

In addition, FAST Planning would like to note some of the ADEC-rejected control measures that the EPA wants ADEC to consider implementing are not warranted or appropriate (i.e. technologically feasible) for Fairbanks’ population size and lack of congested roadways. A good example would be high-occupancy vehicle lanes, which are generally intended for communities with a regional population over 1.5 million people that experiences severe congestion with motorists trying to access major employment centers/business districts. According to the Federal Highway Administration’s 2021 National Inventory of Specialty Lanes & Highways, there are only 18 states with high-occupancy vehicle lanes, all of which serve major population centers. Fairbanks’ population within the urbanized area is only 70,000 and does not have the population or congestion on its roadways that would even remotely have the need for such lanes.

### Section III.H – Motor Vehicle Emission Budgets for Air Quality Conformity

In the Federal Register Notice the EPA found the motor vehicle emission budgets submitted by ADEC were clearly identified and precisely quantified with appropriate consultation, but disapproved the budgets “Since the budgets must account for other control measures to determine the appropriate motor vehicle budgets, and the control strategy does not include all required control measures, then the budgets will necessarily be deficient.” FAST Planning interprets this finding to mean the budgets were disapproved because the EPA disapproved of ADEC’s rejection of certain transportation control measures in Section III.C (described above) – all of which have been assessed by ADEC to have limited/no reductions to PM2.5 levels. Factoring into the budget calculations measures that have limited/no reduction to PM2.5 should have little to no effect on the budgets, so this does not seem like a logical reason to disapprove the budget.

On the next page is a graph comparing the Moderate SIP motor vehicle emission budgets to the Serious SIP budgets, including FAST Planning’s regional emission analysis test results for the current and past Metropolitan Transportation Plans. The newly proposed Serious SIP budgets (0.20 to 0.15 tons/day) are more stringent than the past-approved Moderate SIP budgets (0.33 tons/day), and FAST Planning’s latest test results show modeled actual emissions at 0.05 tons/day. Considering the EPA’s request to factor in new transportation control measures that have limited/no reduction to PM2.5 that will have little to no effect on the budgets, it will not change the outcome of the latest regional emission analysis test results meeting conformity.



### Section III.C: Voluntary Measures in the PM2.5 Non-attainment Area

In ADEC’s adopted Control Measure Analysis submitted with the SIP, a list of “voluntary” transportation control measures was included for existing and ongoing transportation programs in the Fairbanks PM2.5 Non-attainment Area such as the expansion of transit service, motor vehicle plug-ins, public education and outreach, and anti-idling measures. However, in the EPA’s Technical Support Document they state, “none of these programs appear to be submitted for SIP approval.” This is a confusing statement and appears the EPA is not providing credit for existing and ongoing transportation control measures. The term “voluntary” for these measures is also a misnomer. Federal regulations [23 USC 149(k)] require States to set aside 25% of the State’s CMAQ funding apportionment for PM2.5 Non-attainment and Maintenance Areas. This funding is referred to by the Alaska DOT&PF as “CMAQ-Mandatory” funding and \$2 million per year is invested for transportation projects that improve air quality in the Fairbanks PM2.5 Non-attainment Area.

Need ID: 29232 Name: Committed Measures for the Fairbanks SIP							Ph	Fund	FFY20	FFY21	FFY22	FFY23	After 2023
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s							
REQD	N	5	Fairbanks	N/A	Congestion		0	CMAQ-M	1,728,430	1,728,430	1,922,047	1,960,487	
<b>Description:</b> Funding for transportation projects and programs that are committed and contingency measures listed in the State Implementation Plan (SIP) for the Fairbanks PM2.5 Non-attainment Area, and non-SIP projects that are evaluated and scored by the Fairbanks area CMAQ Project Evaluation Board.							0	SM	171,570	171,570	180,095	183,697	
								<b>Totals:</b>	1,900,000	1,900,000	2,102,142	2,144,184	4,000,000

To better understand how this funding is invested, FAST Planning would like to provide the EPA the list of projects this funding was used for over the past 10 years (2011 to present; >\$20 million invested):

- FMATS “Don’t be Fuelish” Campaign
- Fairbanks Commuter Vanpool Rideshare Options Coordinator
- Fairbanks Regional Travel Demand Model Update
- Fairbanks Regional Household Travel Survey
- Vehicle Miles Traveled (VMT) & Classification Study
- FNSB Fairbanks PM2.5 Non-Attainment Area SIP
- FNSB Air Quality Education Outreach Program
- Highway Dynamic Messaging Signs (air quality alerts, hazardous road conditions, detours)
- FNSB Diesel Engine Emissions Reduction Pilot Program
- Alaska DOT&PF Heavy Duty Fleet Vehicles Diesel Anti-Idling Maintenance & Emission Pilot Program
- Alaska DOT&PF Adaptive Signal Control (Airport Way, University, Peger, Geist, Johansen, College Road)
- MACS Transit Eielson/Salcha Bus Service
- MACS Transit Van Horn Bus Service
- MACS Transit Purple Line (additional bus on Purple Line serving South Cushman/Hamilton Acres)
- MACS Transit Bus Stop Shelters (20 total)
- MACS Transit CNG Fueling Infrastructure
- MACS Transit CNG Buses (pending)
- UAF Free Transit Rides (for students and staff riding MACS Transit)
- Motor Vehicle Plug-ins: West Valley & North Pole High Schools
- Motor Vehicle Plug-ins: Carlson Center, Noel Wien Library, North Pole Library, Big Dipper
- Motor Vehicle Plug-ins: Birch Hill, Chena Lakes, & Tanana Lakes Recreation Areas
- Tanana Lakes Recreation Area South Lathrop Extension & Parking Area
- Pearl Creek Elementary Access & Circulation Improvements (including motor vehicle plug-ins)
- City of Fairbanks Pedestrian Facilities Upgrade (Aurora, Cowles, Lacey, 5th, 6th, 7th, 8th, 9th, 10th)
- University Avenue South Bicycle & Pedestrian Path (Mitchell to Armistead; Airport East Ramp)
- Peger Road Bicycle & Pedestrian Path (east side; Chena River bridge to Airport Way)
- City of North Pole Snow Removal & Street Sweeping Equipment (for bike/ped paths)
- FNSB Snow Removal & Street Sweeping Equipment (for bike/ped paths near schools)
- City of Fairbanks Sidewalk Snow Removal Equipment
- Alaska DOT&PF Sidewalk Snow Removal Equipment
- Alaska DOT&PF Bi-directional Two-Way Tow Plow

FAST Planning’s Technical Committee and Policy Board serves as the project evaluation board for these projects. See <https://fastplanning.us/cmaq/> to view the scoring criteria, nomination form, and more detailed funding information. All projects nominated to FAST Planning for these funds are reviewed by the Federal Highway Administration for eligibility, transmitted to a third-party consultant to calculate emission benefits, and ranked by their estimated Wintertime (October to March) PM2.5 pollutant reduction.

In addition to this \$2 million per year of CMAQ-Mandatory funding for the Fairbanks PM2.5 Non-attainment Area, the Alaska DOT&PF also provides an additional \$800,000 per year in more flexible CMAQ funds to FAST Planning for local transportation projects and programs that improve air quality (see next page).



Need ID: 17663 Name: FAST CMAQ Allocation							Ph	Fund	FFY20	FFY21	FFY22	FFY23	After 2023
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	0	CMAQ-M	727,760	727,760	727,760	727,760	
REQD	N	5	Fairbanks		Congestion		0	SM	72,240	72,240	72,240	72,240	
Description: This project is additional allocation for qualifying projects utilizing federal Congestion Mitigation and Air Quality Improvement (CMAQ) funding. See FAST TIP for projects.							Totals: 800,000 800,000 800,000 800,000 1,600,000						

The Alaska DOT&PF has also invested over \$20 million in additional CMAQ funding for a comprehensive signal interconnect project in the Fairbanks PM2.5 Non-attainment Area. This has improved capabilities of the Alaska DOT&PF Northern Region office to communicate with signals, allowing for remote access and immediate troubleshooting, signal timing modifications, and monitoring at single/multiple locations. This has measurably improved travel time and reduced traffic delay, congestion, and idling at signals.

Need ID: 27010 Name: Northern Region Signal Interconnect							Ph	Fund	FFY20	FFY21	FFY22	FFY23	After 2023
Program	Region	2013 Election District	Place Name	Highway	Primary Work	Bridge #s	4	CMAQ-F	150,000	0	0	0	
REQD	N	60	Northern Region		ITS		4	CMAQ-M	4,473,500	4,548,500	4,548,500	4,548,500	
Description: Improve capabilities of the Northern Region to communicate with signals, allowing for troubleshooting, signal timing modifications, and monitoring at single/multiple location(s). Project will include upgrades at NR Headquarters and incorporate improvements to interconnecting communication systems (for security and reliability), controller upgrades, signal timing plans, and other related items. Provide any related items and Training, Maintenance, and Operational funding as allowed by ITS.							4	SM	451,500	451,500	451,500	451,500	
							Totals: 5,075,000 5,000,000 5,000,000 5,000,000 0						

Alaska also has a “Roundabout First” Policy (see <https://dot.alaska.gov/stwddes/dcstraffic/roundabouts.shtml>), which has led to the construction of 13 roundabouts in the Fairbanks PM2.5 Non-attainment Area, and three more are programmed to be constructed within the next five years. Roundabouts are included in the Federal Highway Administration’s CMAQ Toolkit as a proven air quality improvement measure because of their reduction to congestion and improvements to traffic flow along roadways, which improves roadway performance and reduces emissions from passing vehicles.

The EPA should provide credit for all these existing and ongoing transportation control measures (>\$50 million total invested over the past 10 years) for the Fairbanks PM2.5 Non-attainment Area in the SIP.

## Section IV.A – Clean Air Act’s Provision for Sanctions

With the rapid increase in numbers of motor vehicles and urbanization through the 1900s, the Clean Air Act of 1970 gave the [newly-formed] EPA the legal authority to regulate pollution from vehicles and other forms of transportation. Over time the EPA has touted major successes in vehicle pollution control in the U.S., including but not limited to:

- New passenger vehicles are 98-99% cleaner for most tailpipe pollutants compared to the 1960s
- New heavy-duty trucks and buses are roughly 99% cleaner than 1970 models
- Fuels are much cleaner—lead has been eliminated, and sulfur levels are more than 90% lower than they were prior to regulation
- U.S. cities have much improved air quality, despite ever increasing population and increasing vehicle miles traveled

Source: <https://www.epa.gov/transportation-air-pollution-and-climate-change/history-reducing-air-pollution-transportation>



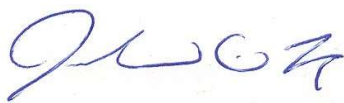
Sanctions on Federal highway funding as a penalty for air quality compliance violations were included in the original Clean Air Act of 1970, strengthened in the 1990 Amendments to the Clean Air Act, and still remain in law today. However, the relevancy of these sanctions has clearly diminished over time based on the statistics provided by the EPA. In the Fairbanks PM2.5 Non-attainment Area for example, on-road mobile emissions only comprise 6.8% of the area emissions contribution. Transportation is clearly not the problem, nor will withholding Federal highway funding contribute in any way to solving the problem. The EPA is nevertheless threatening use of these sanctions for the Fairbanks PM2.5 Non-attainment Area using a 53-year old law that lacks relevancy to the problem and punishes the Alaska DOT&PF and FAST Planning, which has no control over other emission sources (i.e. woodsmoke) that are actually causing the problem. If the EPA was truly invested in helping solve the problem they should change their mission and focus efforts where progress can be made in the highest emission source categories. The EPA's threat of using these sanctions is archaic and an indisputable example of a punishment that does not fit the crime.

### Section IV.C – Ramifications Regarding Transportation Conformity

The Federal Register Notice states “If EPA finalizes the disapproval of the attainment demonstration SIP without a protective finding, a conformity freeze will be in place as of the effective date of the disapproval.” The only citation for a protective finding provided was 40 CFR 93.120(a)(2), which does not provide sufficient clarity on how the EPA shall consider granting a protective finding. FAST Planning's understanding of the Federal regulation in relation to the Federal Register Notice is that the EPA cannot issue a protective finding demonstrating attainment of the proposed SIP motor vehicle emission budgets because the EPA is disapproving the budgets because the EPA is disapproving ADEC's adoption/rejection of transportation control measures. The comments contained in this letter, however, should lead the EPA to approve the ADEC's transportation control measure analysis and proposed motor vehicle emission budgets. In addition, FAST Planning has demonstrated in this letter the latest regional emission analysis test results (January 2023) will meet the proposed Serious SIP motor vehicle emission budgets. We therefore request the EPA issue a protective finding to eliminate the possibility of a conformity freeze.

Thank you for the opportunity to comment. If you have any questions or need additional information, please contact me at [jackson.fox@fastplanning.us](mailto:jackson.fox@fastplanning.us) or (907) 590-1618.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. C. Fox', is written over a horizontal line.

**Jackson C. Fox**  
Executive Director

Copy: **Alaska Congressional Delegation**

Senator Lisa Murkowski  
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