



## POLICY COMMITTEE

Council Chambers, City Hall, 800 Cushman Street, Fairbanks, AK

Meeting Minutes – September 16, 2015

### 1. Call to Order

Mayor Bryce Ward, Chair, called the meeting to order at 12:00 p.m.

### 2. Introduction of Members and Attendees

#### Attendee

\*Bryce Ward, Chair  
 \*Kellen Spillman for Luke Hopkins, Vice Chair  
 \*John Eberhart  
 \*Judy Chapman for David Miller  
 \*Guy Sattley  
 \*Perry Walley  
 \*Denise Koch  
 \*\*+Donna Gardino  
 \*\*Deborah Todd  
 \*\*Alicia Giamichael  
 +Brian Lindamood  
 +Bob Pristash  
 +Lee Borden  
 Shelley Potter  
 Linda Mahlen

#### Representative Organization

Mayor, City of North Pole  
 Mayor, Fairbanks North Star Borough  
 Mayor, City of Fairbanks  
 Northern Region Director, DOT&PF  
 FNSB Assembly Member  
 City Council Member, City of Fairbanks  
 DEC, Division of Air Quality  
 FMATS MPO Coordinator  
 FMATS Administrative Assistant  
 FMATS Transportation Planner  
 Alaska Railroad  
 City of Fairbanks  
 DEC, Division of Air Quality  
 DOT Planning  
 DOT Planning

*\*FMATS Policy Committee Members, \*\*FMATS Staff Members, +FMATS Technical Committee Members*

### 3. Public Comment Period (3 minute limit)

No public comment.

### 4. Approval of the September 16, 2015 Agenda

**Motion:** To approve the September 16, 2015 Agenda. (Eberhart/Walley).

**Discussion:** No further discussion.

**Vote on Motion:** None opposed. Approved.

### 5. Approval of the August 12, 2015 Meeting Minutes

**Motion:** To approve the August 12, 2015 meeting minutes. (Spillman/Eberhart).

**Discussion:** Ms. Koch suggested corrections to the comments made by Ms. Heil of DEC located on Page 7, Section 12 in the Policy Committee Comments section.

**Vote on Motion:** None opposed. Approved.

### 6. Committee Reports

#### a. Coordinator's Office Report and Technical Committee Action Items

Ms. Gardino provided information for all meetings, briefings, open houses, and presentations she and FMATS staff had attended or participated in.

#### b. Seasonal Mobility Task Force Meeting Summary

Ms. Gardino explained the Seasonal Mobility Task Force meeting and provided a summary of the discussions and the maintenance issues that were discussed. Ms. Gardino explained that one of the main topics of discussion at the meeting was the brine solution that was used by DOT for deicing and is

be made available to the UAF. Ms. Gardino stated that another takeaway from the meeting had been the target levels and priorities that were established by DOT for roadway plowing. Ms. Gardino explained that the City, DOT, Borough and other maintenance personnel present at the meeting were expecting a noticeable change in the level of surface due to reduction of personnel and equipment from budget cuts. Ms. Gardino stated that there had been an enlightening discussion regarding snow berms created by plows that caused hindrances to disabled individuals in the community and that all entities should be aware of that when plowing. Ms. Gardino stated that it had been a very productive meeting but one follow-up will be the maintenance agreements for two pedestrian projects.

Mr. Walley asked Ms. Gardino which roads were considered Priority 1 roads and the classification for Airport Road.

Ms. Gardino stated that Airport Road used to be a Priority 1 road but was no longer a Priority 1 road and the Priority 1 roads were now: Parks Highway, Richardson Highway, Geist, Steese Expressway and the Mitchell Expressway.

## **7. Old Business**

### **a. Coordinator's Office Reorganization Subcommittee.**

Ms. Gardino explained that the subcommittee met while she was away and there was only one company that really met all the requirements for handling FMATS personnel and payroll. Ms. Gardino stated that the only stipulation was the need for FMATS to have a Tax ID to become a legal entity. Ms. Gardino stated that she had spoken with the Mayor and the City Attorney to see if that would be a possibility. Ms. Gardino stated that FMATS would need to come up with a matrix to compare the pros and cons for each of the options to consider. Ms. Gardino provided an example of an entity that had become a legal entity and what they had gone through.

Mayor Ward inquired if there had been a commitment made for when the next meeting of the subcommittee would be. Ms. Gardino said no.

## **8. New Business**

### **a. 2015-2018 TIP (Amended) Approval (Action Item)**

Ms. Gardino stated that Page 11 of the meeting packet included a summary of the revisions that were made to the TIP. Ms. Gardino stated that FMATS was notified that DOT Headquarters was not going to approve their TIP so the Northern Region DOT had gone through and audited the TIP; breaking it out so that the Federal piece was listed separately. Ms. Gardino explained what DOT Headquarters had requested that they wanted to see. Ms. Gardino stated that the revisions made the Federal allocation very clear. Ms. Gardino explained that in order to do that, Ms. Potter had split out every project and who paid the match for each. Ms. Gardino stated that through this process it was discovered that the State DOT was paying the match for CMAQ Funds which freed up \$50,000. Ms. Gardino stated that she recorded in pencil on her working draft of the TIP the amount that she had approved in order to make sure that she did not go above her approval authority level of \$250,000 and when the next TIP came around she added in the offsets. Ms. Gardino stated that she had not changed the Summary section at all.

Ms. Gardino stated that there were some projects that had no specific funding at this time, like the Advanced Project Definition project. If the projects were not listed in the TIP, an amendment to the TIP had to be done which required a consultation process and possible conformity determination. Ms. Gardino stated that she had unhidden the hidden projects and eliminated the illustrative project section to eliminate duplication of projects in the TIP. Ms. Gardino explained that no projects that were previously in the TIP had been deleted, so they would not have to go back and address conformity. Ms. Gardino stated that adding another fiscal year as suggested would be problematic because they would have to go through the consultation and conformity process again. Ms. Gardino stated that for now they would not add another fiscal year to the TIP which matched their counterparts in Anchorage. Mr. Spillman asked Ms. Gardino if, as was his understanding, the DOT had a problem with the format and not the content of the TIP.

Ms. Gardino stated that was her understanding.

**Motion:** To approve the FMATS 2015-2018 Amended Transportation Improvement Program (TIP). (Chapman/Eberhart).

**Discussion:** Mayor Ward asked Ms. Gardino if there was any sense as to whether Headquarters would approve or deny the TIP, as revised, if it was resubmitted.

Ms. Gardino stated that in the email from Headquarters it stated that keeping the Summary Table was critical to approving the document.

Ms. Chapman stated that she thought the Summary Table revision made it clear that the TIP was fiscally constrained and the other changes were just suggestions and it was up to FMATS whether or not to make those revisions. Ms. Chapman stated that an MPO developed its own TIP and if the Policy Committee was satisfied with it, then it could go.

Mayor Ward asked Ms. Chapman if the concern from Headquarters had been that the Illustrative Section of the TIP was difficult to read and interpret.

Ms. Gardino stated that Headquarters did not like that some of the projects were listed in a couple of places in the TIP so the projects were still in there but just not in two places.

Mr. Spillman asked Ms. Chapman if it was true that Headquarters was dissatisfied with the format and not the content of the TIP.

Ms. Chapman stated that Mr. Spillman was correct and it previously had not been clear if the TIP was fiscally constrained, but that had been made clear.

Mayor Ward commented that he thought the Summary Table was a good addition.

**Vote on Motion:** None opposed. Approved.

**b. FMATS Budget Amendment (Action Item)**

Ms. Gardino explained that FMATS' August and September advertising invoices were projected to be approximately \$2,700 which created a shortfall on the FY15 Purchase Order for advertisements. Ms. Gardino stated that the recommendation from FMATS staff, and it had not gone to the Technical Committee as it had just come up, was to move \$3,000 to advertising from

supplies for FY15 and reduce the number of ads from three to two ads which would save about \$3,500 in the next fiscal year.

**Motion:** To approve the FMATS Budget Amendment, as presented (move \$3,000 from Materials and Supplies to Advertising). (Chapman/Walley).

**Discussion:** No further discussion.

**Vote on Motion:** None opposed. Approved.

**9. Public Comment Period (3 minute limit)**

No public comment.

**10. Other Issues**

No other issues.

**11. Informational Items**

**a. Approval of the State Implementation Plan (STIP)**

Ms. Gardino stated that the approval of the State of Alaska Transportation Conformity State Implementation Plan (SIP) was issued last week and introduced Ms. Koch of DEC to provide further details.

Ms. Koch explained that Transportation Conformity had to do with making sure that Federally-approved and funded transportation projects did not hinder moving non-attainment and maintenance areas towards attainment. Ms. Koch stated that it did apply to the Fairbanks North Star Borough because it was a PM<sub>2.5</sub> non-attainment area. Ms. Koch stated that the genesis of the issue was that EPA had transportation conformity rules that were extensively litigated. Ms. Koch stated that after the litigation was resolved in 2012, EPA came out with a Model Transportation Conformity Rule. Ms. Koch stated that in 2013, EPA updated the Code of Federal Regulations based on the outcome of the litigation and it closed any areas of ambiguity in terms of interagency consultation. Ms. Koch stated that they more closely defined the roles and responsibilities of the different entities in terms of interagency consultation. Ms. Koch stated that after EPA made updates to their rules in 2013, they came back to the states and said that the states had to comply with the new Federal rules.

Ms. Koch stated that DEC did an analysis and determined that there were no significant changes to the interagency consultation process that was already in place for Alaska, except for adoption of portions of the updated Code of Federal Regulations. Ms. Koch stated that DEC had gone through the standard public process and public comment period to update the Transportation Conformity Article of their Air Quality Regulations along with updating a chapter of their overall State Implementation Plan which was the plan that made sure that air quality in Alaska was in compliance with all Federal rules. Ms. Koch stated that after the public process, those changes were adopted in March 2015. Ms. Koch stated that those changes were submitted to the EPA and EPA printed a notice in the Federal Register that they saw those changes as approvable and were

providing opportunity for public comment to EPA on the approvability of those changes.

Mr. Spillman stated that the Mayor Hopkins wanted him to ask a question on the record. Mr. Spillman stated that it was his understanding that the Fairbanks-specific PM<sub>2.5</sub> monitoring station had met the attainment levels for the last couple of years and if it continued to meet those attainment levels over the next couple months, it would be possible to reduce the non-attainment area and take portions of the Fairbanks North Star Borough out of the PM<sub>2.5</sub> non-attainment area. Mr. Spillman asked Ms. Koch whether the changes made to the STIP would affect that process.

Ms. Koch stated that the changes to the SIP would not impact what Mr. Spillman was talking about. Ms. Koch stated that Mr. Spillman was referring to the three compliance monitors for the purpose of determining compliance with the PM<sub>2.5</sub> National Standards. Ms. Koch stated that one was located in North Pole and two were located in Fairbanks; one on the State Office Building and one at the NCore site. Ms. Koch stated that compliance was based on three years of data. Ms. Koch stated that when there was a year that was under the 35 micrograms per cubic meter, it was called a "clean data year". Ms. Koch stated that in 2014, both of the Fairbanks monitors had a "clean data year" and there was the potential for 2015 to also be a clean data year for those Fairbanks monitors. Ms. Koch stated that 2013 was not a clean data year and the Fairbanks monitors were just a little above the standard 35 micrograms at a little over 36 micrograms. Ms. Koch stated that if Fairbanks ended 2015 with a "clean data year" that would bring down the design value and could put the City of Fairbanks in potential compliance. Ms. Koch stated that she did not know for sure since DEC did not know how 2015 would actually end. Ms. Koch stated that currently they did have one monitor that was not in compliance in the North Pole area and EPA was investigating the possibility of submitting a request to split the Fairbanks North Star Borough and North Pole areas into two non-attainment areas. Ms. Koch stated that an important factor in the EPA consideration of that request to split would be whether or not 2015 was a clean data year.

Mr. Spillman inquired if the changes had an impact on making two different non-attainment areas. Ms. Koch stated that Mr. Spillman was correct and those changes to the SIP would not impact that attainment status.

Mr. Sattley inquired if that scenario occurred why they were still calling the areas non-attainment areas.

Ms. Koch stated that it would still be considered a non-attainment area, but if 2015 was a clean data year, DEC would start the process of taking it towards a maintenance area.

Mayor Ward inquired if in order for an area to go into a "maintenance area" an area needed to show attainment in all grids to be considered an attainment area.

Ms. Koch stated that there were two criteria that had to be met to achieve attainment which consisted of monitoring data showing compliance and then you had to be able to model attainment. Ms. Koch stated that the attainment model was heavily influenced by the monitoring data.

Mayor Ward inquired if the Fairbanks sites were indicative of the Fairbanks area and the North Pole site indicative of the North Pole area.

Ms. Koch stated that DEC believed there might be some "hot spots" in both Fairbanks and North Pole areas and the monitoring expert at DEC had some concerns that the monitor in North Pole might not be reflective of the North Pole area, as a whole. Ms. Koch stated that DEC had raised that issue to EPA and EPA essentially told them that unless DEC did the expensive modeling and modeling study that would be the compliance monitor.

**b. Federal Highway Reauthorization Status – DRIVE Act Summary**

Ms. Gardino explained the AMPO summary included in the meeting packet regarding the DRIVE Act. Ms. Gardino stated that the DRIVE Act bill was attached to a Veterans Bill and had been passed by the Senate and now went to the House. Ms. Gardino stated that Emergency Evacuation Planning had been made eligible under the Surface Transportation Program. Ms. Gardino stated that under CMAQ it looked like a state with a population density of 80 or fewer persons per square mile, the state did not have to provide an allocation to that area any longer and Fairbanks fit that bill. Ms. Gardino stated that Congress was trying to prevent a government shut down on October 1<sup>st</sup>. She did not see the highway bill moving any time soon, but would be monitoring it.

Mayor Ward asked Ms. Gardino about the "insignificant" amounts that were mentioned in CMAQ that were contributed by motor vehicles and the methodology used to determine those emissions.

Ms. Koch stated that as part of the SIP there was some modeling done to look at the major sources of PM<sub>2.5</sub> emissions and there might be some data there, and in terms of scale, residential wood smoke was the major contributor and the second contributor had to do with secondary sources, and transportation items were the third component, but she did not recall what that contribution amount was. Ms. Koch stated that she would

forward that information to Ms. Gardino for distribution to the Policy Committee.

Ms. Gardino inquired what the definition of "insignificant" would be.

Mr. Sattley inquired about the reference to the population density of 80 or fewer persons per square mile and what that was for the Borough.

Ms. Gardino stated that it was 1.2 persons per square mile for the State.

Mr. Spillman stated that the MPO area was greater than 80 persons per square mile.

**c. Obligations and Offsets**

Ms. Gardino stated that she did not have the usual format because the region said that all the projects had been submitted so she was presenting all the final obligations that had been submitted to Headquarters.

Ms. Gardino stated that one of the projects had not been sent to FHWA and Ms. Chapman was looking into that. Ms. Gardino stated that the other concern was the Gold Hill Road Bike and Ped Facility and the Birch Hill projects were called "Advance Construct" which meant that FMATS had the funding in FY15 and not programmed to borrow money for the next year which was of concern because they were not showing a payback for next year. Ms. Gardino stated that Ms. Chapman would explain further.

Ms. Chapman explained that "advance construct" was an accounting tool that was used by DOT behind the scenes. Ms. Chapman stated that DOT basically borrowed State funds and repaid the program with Federal funds in a future year which allowed them to go forward with projects that were ready to go. Ms. Chapman stated that the FMATS' CTP allocation came out of the greater State STP allocation which was already all obligated; so the only tool left was the "Advance Construct". Ms. Chapman stated that DOT was doing that behind the scenes on a State level and would take the payback out of the Statewide FCTP funding allocation and it would not come specifically out of FMATS' CTP so it would not affect FMATS, nor did they need to track it. Ms. Chapman stated that their obligation and intent was to honor the FMATS' CTP allocation and this enabled them to do that even though they had exhausted all of the FCTP funds that were normally spent in FMATS. Ms. Chapman stated that this was a common accounting tool that DOT used and had actually "advance constructed" about half of the program next year or approximately \$280 million.

Ms. Chapman stated that the "Advance Construct" funds were shown with a payback, or a negative number in a subsequent year, which indicated that they actually received Federal funds and paid back the State funds that were received for that project.

Mayor Ward stated that it was his understanding that when FMATS prepared a fiscally constrained TIP, that funding was their Federal

allocation that was given to the State for those projects. Mayor Ward inquired how the State could change the FMATS TIP, or if that changed the TIP?

Ms. Chapman stated that it did not change the TIP. Ms. Chapman stated that FMATS was still spending the entire \$8 million of their FY15 CTP allocation. Ms. Chapman stated that it was an accounting tool happening behind the scenes because DOT had already spent all of their obligation authority on that greater Surface Transportation Program, of which, FMATS' CTP was a part. Ms. Chapman stated that DOT was electing to "Advance Construct" Gold Hill so FMATS could spend all their funds this year. Ms. Chapman stated that DOT would absorb that somewhere else from the general STP allocation in a future year, but would not need to be reflected or show up in the FMATS TIP.

Mayor Ward inquired if that was an anomaly they were seeing this year or if it was something that had been done before. Ms. Chapman stated that she was not sure how many times it had been done, if ever, with FMATS. Ms. Gardino stated that it had only been done once with FMATS.

Ms. Chapman stated that it had been done occasionally with AMATS and very often with other FTP-funded and State projects. Ms. Gardino stated that it was something FMATS had to check, but they had been assured that they did not need to be concerned.

Ms. Potter stated that she thought it was important to note that when DOT spoke with Headquarters about this, the word they had used was "seamless". Ms. Potter stated that from FMATS' perspective, it was nothing they needed to be concerned about because it was absolutely a tool that DOT would take care of on their side. Ms. Potter stated that she did not think that it was a concern that FMATS needed to track it or make sure because it was an obligation and the payback for the "AC" was definitely a mechanism that DOT would take care of. Ms. Potter stated that she liked the word "seamless" and thought it was a good description.

Mayor Ward thanked Ms. Potter. Mayor Ward stated that they had it on record now and the public could all take a breath.

## **12. Policy Committee Comments**

- Mayor Eberhart commented that on the northwest corner of Peger and Airport he noticed a bunch of trees were torn down outside the fence line and the house there had no privacy from all the traffic and wondered if that was something that the State did or the private landowners had removed them because people had asked him what happened in that area.



- Ms. Chapman stated that she did not know and thought they could look into it, but was not aware of any project in that location.
- Mayor Eberhart stated that he had noticed heavy equipment near Pier 1 Imports and was told by his staff that the developers were starting to put in the loop road near the Bentley Trust. Mayor Eberhart commented that he asked about the roundabout the City was supposed to be putting in and someone mentioned a DOT decision that affected it, but had not been able to talk to the City Engineer; so he wondered if anyone knew what the holdup was.
- Ms. Chapman stated that she had not heard anything about it.
- Mayor Ward commented that he hoped everyone had a wonderful day and thanked them for a very productive meeting.

### 13. Adjourn

**Motion to adjourn.** (Spillman/Koch). The meeting adjourned at 1:00 p.m. The next Policy Committee Meeting is scheduled Wednesday, October 21, 2015 at 12 p.m. in the City Hall Council Chambers, 800 Cushman Street, Fairbanks, Alaska.

Approved: \_\_\_\_\_

  
Mayor Bryce Ward, Chair  
FMATS Policy Committee

Date: \_\_\_\_\_

10/21/15