

**RPEA Northern Region Chapter Minutes**  
**Thursday, April 18<sup>th</sup>, 2019 at 12:00 pm**  
**Raven Landing Center**

Clark Milne, NR Chairman, convened the meeting at noon with 42 people in attendance. Mary Zalar recorded minutes. Clark announced that nominations are still open for Chapter officers, and the election will take place in May. Clark will not stand for re-election as NR Chair, and Mary Zalar is retiring as Secretary. Big News: RPEA has prevailed in the DVA lawsuit! Changes (in 2014) to the DVA health care plan were determined to be a diminishment, which is not allowed by the Alaska constitution.

Featured Speaker: Jackson Fox, the Fairbanks Metropolitan Area Transportation System (FMATS) manager, did a detailed presentation on “The Link between Transportation Funding and Air Quality: Consequences of Failure to Act.” He was one of the prime movers in the local effort to resolve the Fairbanks area’s PM-2.5 air quality problems and was part of the Air Quality Stakeholders Group that met for 6 months last year to review history and identify what can be done to sufficiently reduce our fine particulate emissions exceedances.

- On April 5, Governor Dunleavy approved the move to transition FMATS to an independent 501(c)3 nonprofit operation which will allow more independence. It will be renamed Fairbanks Area Surface Transportation (FAST) and is recognized as an FHWA Metropolitan Planning Organization.
- Metropolitan Planning Organizations (MPOs)
  - Federally mandated and funded; Fairbanks MPO receives approx \$8M annually.
  - For population centers >50K people (Anchorage and Fairbanks, for Alaska)
  - Responsible for regional transportation planning and agency coordination.
  - Empowers local governments in the transportation decision-making process.
  - Engages public in planning and projects.
- The FAST office will move to Key Bank building on May 1<sup>st</sup>; which has 3-person staff; with formal written Intergovernmental Agreement for relating to other agencies.
- Organization has a Policy Board; Technical Committee; 3 Standing Committees
- Key Plans: Long-range Transportation Plan (25 years) and Short-range Transportation Plan (3-5 years)
- One of the short-range projects involves “Road Service Area Expansion” to deal with “orphan” roads (not governmentally maintained) and to create a local Road Standards Manual which is a new planning effort.
- Detailed explanation of plans is available on the existing website, [www.fmats.us](http://www.fmats.us).
- Funding allocation: 80% motorized highway projects; 20% nonmotorized (bike paths, or pedestrian).
- How Funding Works
  - Federal-aid is apportioned to State DOT&PF to administer/manage projects.
  - Funding requires a match (~9%) which is paid by either State or Local government (Boro or cities); these governments must pay for long-term maintenance.
- Federal funding mostly comes from federal fuel taxes, supplemented with additional federal funding.
- In 2018, Alaska received \$530M from the FHWA, which is \$716/per capita. The Fairbanks-North Pole area has received (on average) \$40MM/year. In 2019, our area is receiving \$90M!
- Environmental Documents & Air Quality
  - The Clean Air Act requires federally-funded transportation plans, program, and projects to be consistent with the air quality goals established by a State Implementation Plan. Air quality conformity analyses are required on all such plans.
  - FNSB area was designated as nonattainment area in 2009. A detailed State Implementation Plan (SIP) was developed over several years and approved by EPA in 2017. FNSB area was reclassified by the EPA as a Serious Area with a difficult attainment date of December 2019.
  - A “Serious” SIP, prepared by the AK DEC, was due Dec 31, 2018. Deadline passed without a submission. EPA must (by regulation) issue a “Failure to Submit” notice by June 2019 at which point the “Sanction Clock” would begin— after 18 months (causes 2:1 Offsets); or after 24

months (would force a “Freeze” on local Federal Highway Funding). The Sanction Clock can be paused/stopped if/when a complete SIP is submitted and approved by EPA.

- Potential Consequence: If federal highway funds are frozen, Fairbanks area would face about \$37MM/year of federal funds stopped/lost.
- State’s Plan Moving Forward: State DEC and FNSB working together on the Serious SIP plan
  - Complete SIP and advertise for public comment in the coming months
  - Submit a “complete” SIP to EPA before Sanction Clock runs out
  - Request an Attainment date extension from 2019 (may not be approved by EPA)
  - Concurrently prepare a “5% Plan” in case extension request is denied (required local plan to reduce PM-2.5 emissions by 5% per year)
- Serious SIP must include:
  - “Best Available Control Measures” (BACT) and Most Stringent Measure (MSM) analysis
  - Measures can only be rejected, bypassed, if proven technically or economically unfeasible
  - Must be as mandated by Clean Air Act regulations.
- FNSB Mayor and DEC are not currently sharing information about final SIP planning with Mr. Fox.

## Chapter Business

1. Clark reported on information gleaned from recent RPEA Executive Board meetings.
  - a. DVA Lawsuit- Our 2016 lawsuit claimed that the new Moda dental plan diminished the benefits under the existing dental plan thereby violating the DVA plan’s constitutional protection (Dental/Vision/Audio). The State’s position was that the plan is not constitutionally protected, and they could make changes to the plan at will, which they did on January 1, 2014. On April 16, 2019, the Court ruled entirely in RPEA's favor that the 2014 changes did diminish the retiree dental plan and were thus un-constitutional. The full decision will be posted on the RPEA website:  
<https://rpea-ak.org/lawsuits/DVA-Declaratory-Relief/2016-DVA-declaratory-lawsuit.html>  
RPEA will meet with the Department of Administration soon to discuss what they will do amongst the remedies offered by the Court. [reference information in court’s Decision]
  - b. Our second lawsuit, filed in Feb 2018, deals with Diminishment of medical benefits. In Discovery, and moving along.
  - c. State RPEA officer nominations are open for another 8 days for 4 Executive Board positions. Current individual officers have indicated they are willing to continue in these roles.
2. Treasurer’s Report- No report.
3. Legislative Report – no report but Clark and Luke Hopkins will attend the Legislative Committee meeting this afternoon.
4. Membership: no report. Some members are not receiving any of the recent RPEA emails.
5. Nominations Committee – Charlie: Suggestion that NR Chair be the E-Board contact and NR Vice Chair organize/manage monthly member programs. Chapter is not required to have extensive minutes but should have basic notes about meeting date, topic, number of members in attendance.
6. Medical Information Committee: No new information other than lawsuit resolution. Unfortunately, the DRB’s Chief Health Officer, Michelle Michaud, passed away suddenly last month. Emily Ricci (DRB) is assuming more responsibilities on an interim basis.

Our next/last meeting MIGHT be June 6<sup>th</sup> with Sharon Hoffbeck and Brad Owens coming up to discuss RPEA’s legal issues and other statewide organizational items. This meeting would (may?) be limited to MEMBERS ONLY.

Meeting adjourned at 1:25 pm.