

Doniece Gott

From: Toby Drake <[REDACTED]>
Sent: Monday, April 24, 2023 9:32 PM
To: Senate Finance Committee
Subject: 404 Primacy Funding

Senate Finance Committee,

I appreciate the committees time and consideration on the issue of State funding for the 404 Primacy funding. Below are some thoughts to consider as the committee members weight the funding and future of how the wetlands permitting is handled in our State.

If primacy is implemented, the State of Alaska will still be required to comply with the Clean Water Act 404 program, therefore, regulatory standards and requirements will be at least (if not more so) as stringent as the federal regulations.

DOT and AGC members are by far the largest users of the 404 Program in the State, as most construction and development projects require a 404 permit. The State assumption of 404 will provide for a more stable, predictable, and timely permitting process. For Alaska's construction operations, this would be a significant improvement, especially now as we gear up for the Infrastructure Investment and Jobs Act (IIJA) projects with strict project timelines and with all the uncertainties in the construction industry (workforce shortages, material costs skyrocketing, supply chain delays). Having the state assume 404 primacy and having Alaskan regulators, who understand the uniqueness of Alaska and its short construction season, at the helm of this regulatory program would be a much-needed breath of fresh air.

This is not just a permit that impacts "big development projects." 43% of Alaska's surface area is wetlands (over 174 million acres). Less than 1/10th of that acreage has been developed. This means that nearly every construction project in the state (big or small, urban, or rural) will need a 404 permit. Not to mention that virtually every construction project created by the IIJA funds will require a 404 permit. Making it even more important that it is run by Alaskans. This will ensure that **our unique landscape, isolated project locations, diverse geography, and especially our limited construction season would be considered by Alaskan regulators who are familiar with Alaska and can create policies and processes accordingly.**

The State of Alaska has an excellent track record of managing federal programs, including the Clean Water Act's Section 202 and its National Pollutant Discharge Elimination System (NPDES; now the Alaska Pollutant Discharge Elimination System APDES), the Clean Air Act, and the Safe Water Drinking Act. With this experience, Alaska is well equipped to manage the Clean Water Act Section 404 regulation as well, and doing so would bring the regulatory certainty needed to grow investment in resource and community projects, and the Alaska economy. Not to mention, a state-run program will be more accountable and accessible to Alaskans.

Please support funding the State's Assumption of the Clean Water Act's 404 Permitting Program as it will strengthen the State's regulatory system; provide for a more streamlined, stable, predictable, and timely permitting process; and attract the investment needed to grow our economy.

Thank you again for all your efforts that go towards making Alaska a great place to live and work.

Sincerely,
Toby



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