



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Transportation and Public Facilities

OFFICE OF THE COMMISSIONER  
Ryan Anderson, P.E., Commissioner

PO Box 112500  
Juneau, Alaska 99811-2500  
Main: 907.465.3900  
dot.alaska.gov

April 21, 2023

The Honorable Jason Brune  
Commissioner, Department of Environmental Conservation  
555 Cordova Street  
Anchorage, Alaska 99501

Dear Commissioner Brune:

In 2017, the State of Alaska Department of Transportation and Public Facilities (DOT&PF) began participating in a program under Section 23 of Title 23 of the United States Code that allowed states to assume the USDOT Secretary's responsibilities under the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq. (NEPA), and other USDOT Secretary's responsibilities for environmental review, consultation, and other actions required by the Federal environmental law with respect to highway, public transportation, railroad, and multimodal projects in the State. DOT&PF originally signed a 5-year agreement to participate in this program with the Federal Highway Administration in 2017, and just this year we have renewed the agreement due to our success in administering the program.

Over the past 5 years, DOT&PF has delivered billions of dollars in highway infrastructure projects under this program. We have found numerous benefits to the State assignment of Federal responsibilities, including improved flexibility in prioritization of resources, an ability to set our own criteria for review timelines to meet State of Alaska performance targets, and improved training programs for our staff. All of this utilizing State of Alaska employees caring for the important environmental considerations the Law requires. This program has also provided opportunities for State of Alaska employees to have more in-house career paths, improving employee retention.

Based on DOT&PF's success with the NEPA Assignment program, the State of Alaska would benefit from the Department of Environmental Conservation's proposed assumption of the dredge and fill permitting program under Section 404 of the Clean Water Act. Having an ability for the State of Alaska to set infrastructure permitting priorities, and build resources focused on customer service, and set performance targets will improve our ability to deliver quality and timely infrastructure projects that serve the immediate needs of Alaska and Alaskans. Having a program that builds upon the success that DOT&PF has achieved through 5 years of successful implementation and Federal audits further ensures that the program can hit the ground running with confidence.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Anderson".

Ryan Anderson, P.E.  
Commissioner

*"Keep Alaska Moving through service and infrastructure."*