

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

April 26, 2023

1:03 p.m.

MEMBERS PRESENT

Representative Tom McKay, Chair
Representative George Rauscher, Vice Chair
Representative Kevin McCabe
Representative Stanley Wright
Representative Jennie Armstrong
Representative Donna Mears
Representative Dan Saddler
Representative Maxine Dibert

MEMBERS ABSENT

Representative Josiah Patkotak

COMMITTEE CALENDAR

HOUSE BILL NO. 143

"An Act relating to the Department of Environmental Conservation; relating to advanced recycling and advanced recycling facilities; relating to waste; and providing for an effective date."

- MOVED CSHB 143 (RES) OUT OF COMMITTEE

HOUSE BILL NO. 98

"An Act relating to state ownership of submerged land underlying navigable water within the boundaries of and adjacent to federal areas; and providing for an effective date."

- HEARD & HELD

OVERVIEW(S): OFFICE OF HISTORY AND ARCHEOLOGY

- HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 143

SHORT TITLE: ADVANCED RECYCLING AND FACILITIES

SPONSOR(S): RESOURCES

03/27/23 (H) READ THE FIRST TIME - REFERRALS
03/27/23 (H) RES, L&C
04/05/23 (H) RES AT 1:00 PM BARNES 124
04/05/23 (H) -- MEETING CANCELED --
04/12/23 (H) RES AT 1:00 PM BARNES 124
04/12/23 (H) Heard & Held
04/12/23 (H) MINUTE(RES)
04/19/23 (H) RES AT 1:00 PM BARNES 124
04/19/23 (H) -- MEETING CANCELED --
04/21/23 (H) RES AT 1:00 PM BARNES 124
04/21/23 (H) Heard & Held
04/21/23 (H) MINUTE(RES)
04/26/23 (H) RES AT 1:00 PM BARNES 124

BILL: HB 98

SHORT TITLE: STATE OWNERSHIP OF SUBMERGED LAND

SPONSOR(s): SADDLER

03/06/23 (H) READ THE FIRST TIME - REFERRALS
03/06/23 (H) JUD, RES
03/29/23 (H) JUD AT 1:00 PM GRUENBERG 120
03/29/23 (H) Heard & Held
03/29/23 (H) MINUTE(JUD)
03/31/23 (H) JUD AT 1:00 PM GRUENBERG 120
03/31/23 (H) Moved HB 98 Out of Committee
03/31/23 (H) MINUTE(JUD)
04/03/23 (H) JUD RPT 6DP
04/03/23 (H) DP: C.JOHNSON, CARPENTER, EASTMAN,
GRAY, ALLARD, VANCE
04/14/23 (H) RES AT 1:00 PM BARNES 124
04/14/23 (H) Heard & Held
04/14/23 (H) MINUTE(RES)
04/21/23 (H) RES AT 1:00 PM BARNES 124
04/21/23 (H) Heard & Held
04/21/23 (H) MINUTE(RES)
04/26/23 (H) RES AT 1:00 PM BARNES 124

WITNESS REGISTER

TREVOR JEPSEN, Staff
Representative Tom McKay
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: On behalf of the sponsor, the House Resources Standing Committee, of which Representative McKay serves as chair, explained Amendment 1 to HB 46.

JUDY BITTNER, Chief
Office of History and Archeology
Division of Parks and Outdoor Recreation
Department of Natural Resources
Anchorage, Alaska

POSITION STATEMENT: Gave a PowerPoint presentation, titled "Overview: Office of History and Archeology."

SARAH MEITL, Compliance Coordinator
Office of History and Archeology
Division of Parks and Outdoor Recreation
Department of Natural Resources

POSITION STATEMENT: Answered questions during the overview on the Office of History and Archeology

ACTION NARRATIVE

[1:03:32 PM](#)

CHAIR TOM MCKAY called the House Resources Standing Committee meeting to order at 1:03 p.m. Representatives Mears, Armstrong, Dibert, McCabe, Saddler, Wright, and McKay and were present at the call of order. Representative Rauscher arrived while the meeting was in progress.

HB 143-ADVANCED RECYCLING AND FACILITIES

[1:04:44 PM](#)

CHAIR MCKAY announced that the first order of business would be HOUSE BILL NO. 143, "An Act relating to the Department of Environmental Conservation; relating to advanced recycling and advanced recycling facilities; relating to waste; and providing for an effective date."

[1:05:28 PM](#)

REPRESENTATIVE MCCABE moved to adopt Amendment 1 to HB 143, labeled, 33-LS0427\U.2, Radford, 4/25/23, which read as follows:

Page 4, lines 26 - 31:
Delete all material.

Renumber the following bill sections accordingly.

[1:05:37 PM](#)

REPRESENTATIVE ARMSTRONG objected for discussion.

[1:05:57 PM](#)

TREVOR JEPSEN, Staff, Representative Tom McKay, Alaska State Legislature, on behalf of the sponsor, the House Resources Standing Committee, of which Representative McKay serves as chair, explained Amendment 1 to HB 143. He stated that it would delete Section 6 from the proposed legislation. He expressed the opinion that the language on page 4, lines 26-31 is unnecessary and confusing. He explained that the language relates that solid waste processing would not include the extraction of materials from solid waste through advanced recycling; however, Section 4 would already clarify what solid waste includes, and it would not include the materials to be extracted. He pointed to the definition of "advanced recycling" in Section 7, and this definition would not include solid waste at an advanced recycling facility. He added that Legislative Legal Services has agreed with this change.

[1:07:48 PM](#)

REPRESENTATIVE ARMSTRONG removed her objection. There being no further objection, Amendment 1 to HB 143 was adopted.

[1:08:15 PM](#)

REPRESENTATIVE MCCABE moved to adopt Amendment 2 to HB 143, as amended, labeled, 33-LS0427\U.3, Radford, 4/25/23, which read as follows:

Page 4, line 28, following "adhesives;":
Insert "'other recycled product" does not include products sold as fuel;"

REPRESENTATIVE ARMSTRONG objected for the purpose of discussion.

[1:08:27 PM](#)

MR. JEPSEN stated that Amendment 2 would clarify on page 5 of the proposed legislation that products sold as fuel are not considered advanced recycling products. He continued that this would also clarify the definition of "advanced recycling" in Section 7. He stated that this would be consistent with 23 other states and federal code. He added that Legislative Legal Services has agreed with this change.

[1:09:35 PM](#)

REPRESENTATIVE ARMSTRONG removed her objection. There being no further objection, Amendment 2 to HB 143, as amended, was adopted.

[1:09:54 PM](#)

REPRESENTATIVE MEARS moved to adopt Amendment 3 to HB 143, as amended, labeled, 33-LS0427\U.1, Radford, 4/24/23, which read as follows:

Page 4, lines 16 - 20:
Delete all material.

Renumber the following bill sections accordingly.

Page 4, lines 26 - 31:
Delete all material.

Renumber the following bill sections accordingly.

REPRESENTATIVE MCCABE objected.

[1:10:04 PM](#)

REPRESENTATIVE MEARS acknowledged that most of what the amendment would do has already been covered with the removal of Section 6. She noted that Section 4 refers to the definition of "solid waste", and this would apply to recyclables currently in regulation. She expressed the opinion that these regulations are not strict, as they cover basic public safety and nuisance items. She cited the solid waste regulation, 18 AAC 60.10, and expressed the opinion that there should not be an objection to the adherence to these minimal standards.

[1:11:26 PM](#)

MR. JEPSEN, in response to the proposed Amendment 3, stated that the bill is not trying to exempt post-use polymers and plastic feedstocks from code. He stated that the definition would simply be clarifying that post-use polymers and plastic feedstocks are not just solid waste. He expressed the opinion that 18 AAC 60.10 is completely reasonable in state code, and municipal code should adopt a similar regulation; however, the input products should be regulated for what they are, which is

not solid waste. He suggested that if the bill is passed, these codes would be rewritten, including any public safety and nuisance items.

REPRESENTATIVE MEARS stated that currently recycled products would be considered solid waste. She stated that currently existing recycling operations follow this solid waste definition; therefore, advanced recycling should follow the same rules.

[1:13:41 PM](#)

REPRESENTATIVE MCCABE maintained his objection.

A roll call vote was taken. Representatives Armstrong, Mears, and Dibert voted in favor to adopt Amendment 3 to HB 143, as amended. Representatives McCabe, Rauscher, Saddler, Wright, and McKay voted against it. Therefore, Amendment 3 failed by a vote of 3-5.

[1:14:54 PM](#)

REPRESENTATIVE RAUSCHER moved to report HB 143, as amended, out of committee with individual recommendations and the accompanying zero fiscal note.

[1:15:21 PM](#)

REPRESENTATIVE MEARS objected. She expressed support for recycling materials, diverting them from the waste stream; however, she expressed the opinion that the proposed legislation would not be necessary for any operation to function in the state. She stated that this may be necessary in other states with stricter regulations, but it would not be necessary to do business in the state.

[1:16:19 PM](#)

A roll call vote was taken. Representatives McCabe, Rauscher, Saddler, Wright, Armstrong, and McKay voted in favor of the motion to move HB 143, as amended, out of committee with individual recommendations and the accompanying zero fiscal note. Representatives Mears and Dibert voted against it. Therefore, CSHB 143(RES) was reported out of the House Resources Standing Committee by a vote of 6-2.

[1:17:27 PM](#)

The committee took an at-ease from 1:17 p.m. to 1:21 p.m.

HB 98-STATE OWNERSHIP OF SUBMERGED LAND

[Contains discussion of SB 92.]

[1:21:13 PM](#)

CHAIR MCKAY announced that the next order of business would be HOUSE BILL NO. 98, "An Act relating to state ownership of submerged land underlying navigable water within the boundaries of and adjacent to federal areas; and providing for an effective date."

[1:21:36 PM](#)

REPRESENTATIVE RAUSCHER moved to adopt the proposed committee substitute (CS) for HB 98, Version 33-LS0432\S, Bullard, 4/22/23, as a working document.

CHAIR MCKAY objected for the purpose of discussion.

[1:22:05 PM](#)

REPRESENTATIVE SADDLER, as prime sponsor, presented the summary of changes for Version S [included in the committee packet], which read as follows [original punctuation provided]:

- Change 1: The phrase "and adjacent to was removed throughout the bill (7 locations).
- Change 2: A technical correction was made to the definition of "navigable water" to point to the correct statute (page 3, line 17)
- Change 2: A technical correction was made to delete the errant "1491" (page 63, line 13)
- Change 3: Mendenhall Lake and River was deleted from the list (version A page 69, line 27)
- Change 4: Further clarification was added to the definition of "Federal Area" to ensure that it cannot be interpreted to include private lands (Beginning page 87, line 22)

REPRESENTATIVE SADDLER explained the changes were made to better match SB 92, the companion bill in the Senate. He continued that the first change would clarify that when a piece of federal land is adjacent to a waterway, the ownership line would be in the center of the waterway. He added that the third change would delete the Mendenhall River from the list of state and federal areas, as the river is currently the subject of a lawsuit between the state and federal governments, and the lawsuit would need to be resolved before the river could be included. He stated that the fourth change would further specify what federally owned areas would be. He added that the final change would clarify that this would not include any Native lands included in the Alaska Native Claims Settlement Act (ANCSA).

[1:25:59 PM](#)

REPRESENTATIVE MEARS questioned the status of the companion bill.

REPRESENTATIVE SADDLER stated that SB 92 is being heard in the Senate Rules Standing Committee. He expressed the understanding that when SB 92 is before the House, it should be the same as HB 98. In response to a follow-up question, he reiterated that SB 92 and the current version of HB 98 should be the same.

[1:26:47 PM](#)

CHAIR MCKAY removed his objection to the motion to adopt the proposed CS for HB 98, Version 33-LS0432\S, Bullard, 4/22/23, as a working document. There being no further objection, Version S was before committee.

[1:26:58 PM](#)

CHAIR MCKAY announced that HB 98, Version S, was held over.

Overview(s): Office of History and Archeology

[1:27:18 PM](#)

CHAIR MCKAY announced that the final order of business would be an overview of the Office of History and Archeology.

[1:27:44 PM](#)

The committee took an at-ease from 1:27 p.m. to 1:28 p.m.

[1:28:44 PM](#)

CHAIR MCKAY introduced the presenter.

[1:29:11 PM](#)

JUDY BITTNER, Chief, Office of History and Archeology (OHA), Division of Parks and Outdoor Recreation, Department of Natural Resources (DNR), gave a PowerPoint presentation, titled "Overview: Office of History and Archeology" [hard copy included in the committee packet]. She stated that she would present on the role OHA plays in the cultural resource management and environmental review process in accordance with state and federal regulations. She stated that as an officer, or state historic preservation officer (SHPO), she acts as the state liaison with the federal government in concurrence with the National Historic Preservation Act, advocating for the state. On slide 2, she pointed out that OHA has 18 employees, who are mostly historians and archeologists. The office is responsible for operating and monitoring all the state and federal programs concerning preservation. She pointed out that OHA has a project-based budget, and she stated that the funding comes from a grant from the National Parks Service and other programs.

MS. BITTNER discussed the federal Section 106 review process, which reviews projects for the potential impact on cultural resources. She stated that this review would not stop projects; rather it would ensure responsible development.

[1:33:05 PM](#)

REPRESENTATIVE RAUSCHER questioned the project process and the statement that no projects would be stopped if items of archeology are found.

MS. BITTNER responded in agreement. She stated that this is a regulatory process, and if the regulatory steps are followed and information is gathered, then the lead federal agency would make a decision on this. In response to a follow-up question on the interaction between OHA and the federal government, she stated that if the federal government is involved in a project, the project would be reviewed on the state and federal requirements, and the state would be working with the federal agency and the applicant. She said that if the information gathered from the project area were identified as significant, then the project would be regulated.

1:36:20 PM

MS. BITTNER moved to slide 3 and pointed out the federal and state statutes that govern the reviews, which are the Alaska Historic Preservation Act and the National Historic Preservation Act. She discussed each of these in detail. She pointed out that under the federal act, the federal government would be required to consult with the state as part of the Section 106 review; however, the final decisions would be the responsibility of the lead federal agency. She added that the state would have a voice on any adverse effects on the resources. She pointed out the large number of upcoming projects, as seen on the map on the slide.

1:39:28 PM

REPRESENTATIVE SADDLER commented on the large number of projects shown on the map and requested information on the number of airport infrastructure projects.

MS. BITTNER responded that OHA has been "taken aback" by the [number of] projects. She expressed the understanding that there would be new money in addition to the federal agency money. She stated that OHA would review all the federal projects.

1:41:15 PM

MS. BITTNER moved to slide 4 and explained that OHA is guided by a combination of processes, policies, regulations, and guidelines, which are created on both the state and federal levels. She identified and discussed the state and federal statutes and regulations, pointing out how the process would follow these. She mentioned how the National Register of Historic Places Bulletins would help determine the significance of properties.

MS. BITTNER moved to slide 5 and pointed out the five basic steps for review of projects. She stated that the first step would be to define the project and area of potential effect. She pointed out that step two would be research, a survey of the property, and the consideration of other areas of study, such as community outreach. She stated that once the information is gathered, the third step would be determining the permits required, and this would be done by evaluating the identified resources. She pointed out that the National Register Bulletins

would help with this process. She said if a site is considered, under the fourth step, the information would then be sent to both state and federal authorities for review. She said that OHA would comment on the decision as to why a site would or would not be considered historical. She said that there would be a 30-day review in determining if the site is historical. She said that the effect the project would have on historic properties would also be considered, and the fifth step would be resolving the adverse effects, such as a loss of a heritage. She stated that this would involve a consultation with communities, Tribes, or any entity that has an interest in the resources.

[1:48:41 PM](#)

REPRESENTATIVE RAUSCHER questioned the 30-day determination.

MS. BITTNER responded that when there is a request for a concurrence or determination on an eligibility, OHA has 30 days to report back to the federal agency. In response to a series of follow-up questions, she stated that this is per federal regulation. She added that this is dependent on all the information being complete, as the 30-day clock begins once a completed packet is submitted. Concerning the map on slide 3, she stated that the projects on the map are those coming to Alaska. She stated that the agency who is funding these projects would contact OHA for a review. She pointed out that these are only anticipated projects, so information would need to be gathered on the project before a determination would be made. She answered that each project would need to go through the steps, and this includes gathering field information, [and this time frame could be variable in Alaska because of the climate]. She stated that for small and discrete projects, no field effort may be needed; however, projects vary, and some require a multi-seasonal effort.

[1:55:10 PM](#)

REPRESENTATIVE SADDLER expressed the understanding that OHA would start its work once a permit or application is received.

MS. BITTNER stated that this is correct. She stated that the office would receive documentation once the application is submitted. She suggested that the earlier OHA is contacted, the better, so it can advise through the entire process. She added that this way the office would be familiar with the project.

Concerning the determination of project significance, she deferred the question to Sarah Meitl.

[1:57:49 PM](#)

SARAH MEITL, Compliance Coordinator, Office of History and Archeology, Division of Parks and Outdoor Recreation, Department of Natural Resources, answered that the criteria used to determine significance would be based on the National Register of Historic Places, and this is written into the regulations. She stated that subjectivity has been a concern, but the four criteria in the National Register Bulletin has helped to reduce any biases. She stated that offices across the country are involved in this process to make sure there would be quality control and an outside standard with an independent review. In response to a follow-up question, she gave the areas of significance in four parts. The first part would involve events and patterns through history, the second part would involve people, the third part would be design, as in a historic district, and the fourth part would concern potential information. She stated that each of these would be used to understand if something makes the information gathered "rise above the ordinary."

[2:00:05 PM](#)

REPRESENTATIVE DIBERT questioned whether an Elder from the community near the site could visit the site during the process.

MS. MEITL stated that this would be one of the roles of the consultation process. She stated that regulations include that consulting parties would be contacted, especially if the site has religious or traditional significance.

[2:01:28 PM](#)

REPRESENTATIVE WRIGHT, concerning federal sites, questioned who has precedence.

MS. BITTNER responded that federal agencies are required by regulation to consult with the state liaison, which is OHA. She explained that this is why the state would have a voice on federal resource cultural issues and determinations. She stated that part of the National Historic Preservation Program is to provide the state a role in this, and this happens in all states.

[2:04:22 PM](#)

MS. BITTNER continued to slide 5 and discussed the project review efficiencies, as there is a small staff with many projects to review. She stated that OHA uses tools, federal regulation, and internal procedures to deal with the large volume. She pointed out that programmatic agreements are a primary tool, as this is an alternative regulatory procedure, which allows one process to be used for both state and federal large projects. She explained that streamlining is one of the benefits of using these agreements. She stated that internal procedures have been developed to help expedite projects, like grouping projects together, so projects would not be reviewed twice under both federal and state regulations. She said OHA would provide advice to projects on compiling documentation, as OHA's goal is to help agencies be successful. She stated that it is recommended that projects be involved early with OHA, as this would help projects meet the Section 106 requirements.

[2:09:24 PM](#)

MS. BITTNER pointed out that slide 6 show statistics on the volume of work OHA does. She pointed out that in 2002, there were around 10,000 project reviews completed. There were 18,000 individual reviews, with 7,200 projects reviewed under the programmatic streamlined process. She expressed the importance of this process and listed several other statistics on the activity of OHA. She stated that most of the work comes from the oil and gas, mining, transportation, national defense, and housing sectors. She pointed out the vastness of the state and its diversity.

[2:11:19 PM](#)

REPRESENTATIVE DIBERT requested an example of what would allow a project to continue if something of culturally significance were found.

MS. MEITL answered that the cultural resources and historic properties are very diverse. She stated that the effect on the property would be assessed, and the bigger the effect, as complete destruction, the more mitigation would be done. She said that the office would try to match up the importance with what the project would do.

[2:12:46 PM](#)

MS. BITTNER moved to slide 8 and discussed project errors that effect project delivery, such as when the SHPO leaves issues to the "eleventh hour" when project planning and construction is imminent. She stated that in these instances the office is left to "scramble." Another issue would be if the field effort were shortchanged for cost savings. If there is not a thorough effort in the fieldwork, there could be inadvertent discoveries that could be costly. She stated that problems also arise when the field report is inadequate, and this could cause more work. She stated that problems also arise when not enough time has been factored in for the planning or consulting requirements on a project. She advised that if each of the steps are not done in advance before the project, there could be litigation. She continued that time should also be considered in regard with government-to-government consultation. With over 250 Tribes in the state, this could be a very timely process, as there are properties with cultural significance that can only be identified by Tribes. She reiterated that OHA could help advise on the scope and scale of projects concerning Section 106.

[2:17:45 PM](#)

MS. BITTNER moved to slide 9 and referred to the Alaska Heritage Resources Survey, which supports the state's only database of reported cultural resources and their locations. She stated that there are over 50,000 locations in the database. She stated that it is available on the internet and is essential for project planning. She added that this is an integral part of the project review. She said that the database is updated with new sites all year. She moved to slide 10 and addressed the state cultural resource investigation permits (SCRIPs). These permits are also known as "archeology permits." She stated that in 2022 there were 79 permits issued, which is more than double the number issued in 2019. She stated that this permit would be required to do investigation work on state land. She said that 75 percent of the 79 permits were for Section 106 projects. She noted that only one person in the office would issue these, and this speaks to the staffing needed to meet the program needs at OHA. She expressed the concern that with the increase of reports, combined with permit holders not getting the reports in sooner, the next field season would be affected. She noted that often the results from one season would be used for the next season.

[2:22:12 PM](#)

REPRESENTATIVE RAUSCHER referred to the Moose Creek Bridge project on the Glenn Highway, which has been stopped. He said that this was after 25 years of work and millions of dollars, and he said now the current road is unsafe. He commented that year after year there are complaints. He offered the understanding that 25 years of work has gone into looking for archeological pieces, and this has finally stopped the project. He questioned what archeological findings stopped the project. He stated that this question is from the community of Sutton.

MS. MEITL, in response, expressed the understanding that cultural or archeological resources had not stopped the project. She stated that OHA had a memorandum of agreement (MOA) with the Department of Transportation and Public Facilities (DOT&PF) that was in process and being worked through. Ultimately, she explained that other factors came into play besides the resources found, including design requirements by the Alaska Railroad and a right of way that became unattainable. She stated that DOT&PF requested that the agreement be closed, and it has moved to alternative designs. She reiterated that this was not a result from the cultural resources side.

REPRESENTATIVE RAUSCHER expressed the understanding from DOT&PF and the federal government that archeological resources were found. He stated that he uses the bridge "every day," and it needs to be replaced. He reiterated that he has heard that archeological finds had shut the project down.

[2:26:53 PM](#)

CHAIR MCKAY questioned what archeological objects were found.

MS. MEITL stated that there are a number of historic properties in the location, such as a railroad that was used for coal mining 100 years ago and a Native village at the Moose Creek mouth. She stated that the bridge had needed mitigation for both properties, and this required some investigation. She suggested that there may have been a cemetery during the railroad period, and this needed investigating as well. Regardless of the resources, she explained that the process continues while there is mitigation, and the projects would not stop. She opined that if DOT&PF had continued with mitigation, the project would have moved forward.

REPRESENTATIVE RAUSCHER expressed the understanding that DOT&PF decided not to do the project.

MS. MEITL responded in the affirmative.

REPRESENTATIVE RAUSCHER questioned whether there was intervention from OHA that would have stopped the project.

MS. MEITL stated that OHA did not have a role in the decision for the project not to move forward.

REPRESENTATIVE RAUSCHER suggested that OHA would have had some say about its process.

[2:29:58 PM](#)

MS. BITTNER expressed the understanding that from the MOA, stipulation and mitigation measures were identified for data recovery on the archeological sites, with the possibility of an identified cemetery site. She said that OHA had identified in the MOA what mitigation measures would take place for the resources adversely affected; therefore, on the SHPO side, determinations of effect and mitigation measures had been worked out. In response to a follow-up, she stated that sites were identified. There were several surveys done in Moose Creek for more than one season. Field efforts were done, and reports were written. She continued that reports were used to identify the effects, and mitigation measures were discussed, and these were identified in the MOA. Some of the stipulations agreed to some of the excavation that was to take place, but more information was still needed. She stated that it was spelled out how information would be gathered, and decisions would be made.

[2:32:45 PM](#)

MS. MEITL stated that OAH would be able to provide to the committee the MOA and DOT&PF's request for closure of the project.

REPRESENTATIVE RAUSCHER questioned whether the recommended mitigation would have been too costly for the project to continue.

MS. MEITL responded that the MOA is not "a one-way street" with OHA dictating what the mitigation is going to be. The mitigation would be developed through consultation and negotiation, and the parties involved, and in this instance, it would be the federal agency, DOT&PF, and OAH needing to all agree. She stated that often the conversations are about whether the mitigation is appropriate and reasonable, especially

regarding the cost. She stated that OAH had not been informed by DOT&PF that the mitigation was unreasonable nor that it would be too costly to carry out.

[2:35:02 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:35 p.m.