

**GOVERNING BOARD MEETING MINUTES
OREGON DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES**

Monday, June 26, 2023

8:30 a.m.

Virtual Public Meeting

1) Call to Order: (Scott Ashford, Board Chair)

Chair Ashford called the meeting to order at 8:30 a.m.

2) Executive Session – Annual Director Review: (Scott Ashford, Board Chair)

Chair Ashford announced the start of the Executive Session for the Director’s Annual Review.

3) Return to Public Session: (Scott Ashford, Board Chair)

Chair Scott Ashford reconvened the regular public session at 9:40 a.m. following the Director’s evaluation.

4) Introductions: (Scott Ashford, Board Chair, and Staff)

Chair Scott Ashford, Vice-Chair Linda Kozlowski, Board Members Diane Teeman, Anne MacDonald, and Erica Medley were all in attendance via Zoom video/phone.

Department of Geology and Mineral Industries (DOGAMI) Staff in attendance:

Ruarri Day-Stirrat – Director/State Geologist

Sarah Lewis, MLRR Program Manager

Lori Calarruda, Recording Secretary/Executive Assistant

Alex Lopez, Public Affairs Coordinator

Steve Dahlberg, Chief Financial Officer (CFO)

Jason McClaughry, GS&S Program Manager

Christina Appleby, Legislative Coordinator/Geohazards Analyst

Laura Gabel, Coastal Field Geologist/KPM Coordinator

Dayne Doucet, Consolidated Mining Permit Lead

Justin McGillivray, MLRR Permitting Specialist

Others in attendance:

Diane Lloyd, Department of Justice (DOJ)

Dorian Kuper – Kuper Consulting

Dr. Thomas Seal – Grant County Natural Resource Advisory Council – Mining Engineer

1 5) Annual Director’s Evaluation: (Scott Ashford, Board Chair)

2 Chair Ashford stated the Board conducted the Annual Director’s Evaluation/Review.

3

4 Chair Ashford entertained a motion to adopt the Board’s Annual Director’s Evaluation/Review as
5 discussed in Executive Session.

6

7 Board Action: **Kozlowski moved to accept the Annual Director’s Evaluation/Review. Teeman**
8 **seconded. Motion carried.**

9
10 **6) Review Minutes of March 6, 2023 Board Meeting:**

11 Chair Ashford asked if there were any changes to the minutes as presented. No changes.

12
13 Board Action: **Kozlowski moved to approve the minutes of March 6, 2023 as submitted. Medley**
14 **seconded. Motion carried.**

15
16 Chair Ashford left the meeting and Vice-Chair Kozlowski took over chairing the meeting.

17
18 **7) Financial Report:**

19 Steve Dahlberg, Chief Financial Officer, presented the DOGAMI FY2021 Budget Status Report, as of
20 April 30, 2023, for the Geological Survey and Services (GS&S) and Mineral Land Regulation &
21 Reclamation (MLRR) programs.

22
23 Dahlberg stated the Board Packet contained the financial actuals, graphs, and projections, he would
24 provide highlights and brief summary. The current biennium projection for the General Fund budget
25 is \$6.44M, with expenditures of \$6.06M, resulting in being \$385,000 under budget (6%). This amount
26 is lower than previously reported, primarily due to planned spending and lower indirects received
27 because of the delay in Lidar projects now happening in the next biennium. As for the investment in
28 radiometric and aeromagnetic data collection, four of the five data areas have been collected, with
29 the fifth currently underway.

30
31 Other Funds has a current projected Expenditure Limitation Authority budget of \$3.21M with
32 expenditures of \$1.47M, resulting in being \$1.74M under the authorized limitation. This is due to the
33 Private Forest Accord project being delayed because of weather which will now be completed next
34 biennium; this is also one reason for the lower indirects and General Fund, and a higher Expenditure
35 Authority than needed. The projected revenues consist of roughly 60% coming front grants, 40%
36 from Lidar projects, and 10% from the Strong Motion Instrument Fund (SMIF). There are currently
37 fourteen active grants with several being multi-year projects, and three Lidar projects. DOGAMI
38 successfully completed the large undersea cable project; and is collaborating with other agencies
39 through the Lidar Consortium by adding a new Willamette Valley Lidar project that includes nine
40 other funders plus DOGAMI.

41
42 Federal Funds has a current projected Expenditure Limitation Authority budget of \$5.77M with
43 expenditures of \$4.8M, resulting in being \$960,000 under the authorized budget. The Agency sets
44 the expenditure budget up to be large enough for the projects it expects to be completed, but a few
45 have been pushed out to next biennium. For the projected revenues, roughly 42.5% is from grants:
46 FEMA (48%), NOAA (42%), USGS (10%); and 57.5% is from Lidar projects: FEMA (42%), BLM (34%),
47 USGS (24%). This is a healthy distribution and mix from federal funders.

48
49 Vice-Chair Kozlowski asked if fourteen different grants being worked on is an average number and
50 how much can the staff handle. Dahlberg replied fourteen is a healthy number, and the Agency tries
51 to maintain \$3M-\$4.5M in grant balance to keep staff working.

53 MLRR has an Expenditure Limitation Authority budget of \$4.29M with expenditures of \$4.11M,
54 resulting in \$180,000 under the authorized budget (4.1%), which is very good number. The projected
55 revenues of \$4.93M comes from strong production, permit fees, and DEQ Clean Water Quality
56 Permits. MLRR continues to look at ways to address the very high permit application workload,
57 currently at about 94 in process; this has included hiring a Limited Duration position, and a new staff
58 replacement starting on July 10, 2023. MLRR is on target for the 6-month operation reserve by the
59 end of the 23-25 biennium.

60
61 Some updates and highlights include: DOGAMI recently submitted several federal grant proposals
62 ranging from \$40,000 to \$830,000; there are no vacant positions; and an intern was recently hired in
63 the landslide focus area. Regarding the 2023-25 budget, DOGAMI is still waiting for final approval
64 and the Governor’s signature on SB 5510, DOGAMI’s funding bill; SB 5506, the Omnibus or
65 “Christmas Tree Bill” that includes two positions related to water scarcity; and SB 221, MLRR’s permit
66 surcharge for on-going ePermitting system maintenance once the system is in place.

67
68 Kozlowski asked if the Agency sees any changes with the new Governor and its perspective in
69 working with the CFO and LFO. Dahlberg said DOGAMI has new LFO and CFO analysts, Leadership is
70 working with them closely and has developed a very good working relationship, they are advocates
71 for the Agency. Day-Stirrat agreed and added there has been a change in the State CFO Office, and
72 the message received is there is going to be a closer relationship with the CFO Office across all
73 agencies, and he looks forward to that mutual working relationship and change.

74
75 Kozlowski asked if the significant expenditures at the end of the biennium is normal practice. Day-
76 Stirrat said it was due to multiple reasons: the Agency had some struggles getting things out the
77 door; it took the opportunity to buy some data that was a very high cost, but the data will be used as
78 match for future Federal Funds/grants; but it was all targeted spending as an investment in the
79 Agency. Leadership has been working with LFO and CFO for several months about how much
80 General Fund would be returned at the end of the biennium.

81
82 Teeman asked if these were allocated funds, actual expended funds, or a combination. Dahlberg
83 explained the numbers are projecting where the Agency is going to end the year or biennium, it
84 includes 22 months of actual spending and 2 months of anticipated or projected spending, not where
85 the Agency is at on a year-to-date basis.

86
87 Kozlowski thanked Dahlberg for the very good report, saying the graphs and way he explains the
88 information helps the Board understand the financial picture of DOGAMI.

89
90 Board Action: **Teeman moved to accept the Budget Status Report as presented. Medley seconded.**
91 **Motion carried.**

92
93 **8) Legislative Update:**

94 Christina Appleby, Legislative Coordinator, provided a Legislative update.

95
96 Appleby stated the Legislative Session ended yesterday, Sunday, June 25, 2023 at around 4:30pm.
97 For DOGAMI, it was a good session. The Agency’s Budget Bill SB 5510 passed in the Senate and
98 House, and is now awaiting the Governor’s signature. It is for FY 23-25, is just over \$22M, and covers:
99 the existing 35 current staff positions and added four more positions; the MLRR ePermitting system

100 was approved, along with \$2M General Fund for the system creation and two limited duration (LD)
101 positions for the Project Manager and Information Systems Specialist to assist with implementation;
102 POP 104 - MLRR's Consolidated Permitting Lead was bumped up to 1 FTE from .75, position is paid for
103 through cost-recovery agreement with the applicant; POP 107 – MLRR's Unpermitted Surface Mining
104 Program, added two FTE LD positions, a Compliance Coordinator and a Permit Reviewer, both
105 covered by permitting fee revenue; POP 801 – LFO Analyst Adjustments, funds the upward
106 reclassification of Program Managers as part of the TOMP classifications.
107

108 SB 221 has been approved – It supports MLRR's ePermitting system once it has been created and
109 rolled out, by collecting a surcharge of up to 10.7% on invoices created by the system, to fund the
110 costs for running and maintaining the system. The Agency will have the flexibility to reduce the
111 surcharge to match actual costs if they potentially decrease in the future as time goes on.
112

113 The Omnibus Bill/Christmas Tree Bill – Funds a wide array of projects across the State and many
114 agencies; it was \$3.4B of government spending, with only \$1.1B of General Fund associated with the
115 work. DOGAMI received two positions in the GS&S Program, an NRS 4 Mineral Resource Geologist
116 focused on studying State mineral and energy resources, and an NRS 2 – Mapping Geologist focused
117 on groundwater mapping and water resources; with an additional \$381,097 General Fund to support
118 them. Both of these positions fit well into the GS&S Program and their parallel work has been started
119 with support from USGS's Earth Mineral Resources Initiative grant and STATEMAP programs. This
120 also allows the Agency to leverage General Fund dollars as match for Federal Fund dollars to re-
121 double work based on the investment the State has made.
122

123 This has been a very fruitful session for DOGAMI. Early on in the Session, DOGAMI had given a lot of
124 presentations in front of a wide variety of key legislators on different committees and subcommittees
125 for Natural Resources, that gave the Agency an opportunity to help them understand the work it
126 does. Appleby said it was exciting to share and present to them this picture for a better future for
127 the Agency. The session has ended, but strategic outreach will continue with some of the legislators
128 throughout the rest of the year.
129

130 Appleby added that one of the reasons the Agency was successful is its good working relationship it
131 has established with the Chief Financial Office (CFO) and Legislative Fiscal Office (LFO) analysts, which
132 DOGAMI looks forward to continuing to work with them in the future as well.
133

134 Kozlowski said this was the most enthusiastic reports she has seen. DOGAMI's relationship with CFO
135 and LFO is a major step in the right direction. She asked if anything was left on the table, or the
136 Agency was not able to get. Appleby said there are always optimistic pieces in the Policy Option
137 Packages from the ARB, but overall the Agency did quite well.
138

139 Day-Stirrat said the Agency proposed good ideas but due to budgetary constraints, it will do what it
140 can with the opportunities given; DOGAMI ended up in a very positive place. He added there is a
141 Budget Note on ePermitting the Agency will need to provide a progress update on the Legislature
142 during the Short Session. This will be a topic for the Board to focus on and discuss over the next 2
143 years.
144

145 Kozlowski asked for clarification if DOGAMI is using the DEQ model and that it is a foundation the
146 Agency can build from. Day-Stirrat answered yes, the Agency will likely be using the same vendor

147 DEQ used and learning from their rollout, but it will be branded DOGAMI, and have an access portal
148 on the Agency's website.

149
150 Lewis added MLRR has been working with DEQ closely and recently met with them regarding moving
151 forward. The Agency may be using DEQ staff on rotation or paying cost recovery to get it up and
152 running; the anticipated project start date is January or February 2024 and MLRR will work on an
153 outreach plan, so permittees are aware of what is going on.

154
155 Medley said she was excited for the Agency to get all the bills passed and have a way to help fund the
156 online permitting process.

157
158 Briefing: **No Board Action Required.**

159
160 **9) Key Performance Measures (KPMs) Customer Service Follow-up:**

161 Laura Gabel, Coastal Field Geologist/KPM Coordinator, reviewed/provided an update on the
162 Customer Service KPM for the Agency.

163
164 Gabel stated at the last Board meeting the discussion was on ways to increase engagement in the
165 Customer Satisfaction Survey, KPM 5, which was due to the reduced numbers received for the last
166 reporting period. Since the last meeting, there have been several brainstorming meetings to find
167 different ways to increase engagement in the survey.

168
169 Gabel said due to the implementation of new methods of receiving feedback, the survey numbers
170 have increased, and she reviewed the previous numbers for comparison. The new methods include:
171 QR Code on GS&S Oregon GEO Newsletter; link on DOGAMI website and LinkedIn page; staff sending
172 to stakeholder groups; and listservs. Moving forward, additional ideas to be implemented are
173 prompts to take the survey for publication download and the interactive geologic maps
174 SLIDO/HAZVU/OGDC. Gabel stated it is important to maintain a consistent survey mailing calendar,
175 updated distribution lists, and standardized communication process. This effort was focused on
176 GS&S, as MLRR has a formal method for communications, but she is sure the Agency can look at
177 possible ways to increase engagement for them as well.

178
179 Kozlowski asked if the goal is to get back up to the 2020 levels and why the numbers were higher
180 then. Lewis said 2020 was when DOGAMI was having budget difficulties and there was more
181 stakeholder engagement around giving response to the Agency on how to move forward.

182
183 Day-Stirrat said the goal is not necessarily to hit a target, but to make sure the number of
184 respondents is reflective of the program, picking up the positive and negative comments, and to stay
185 on top of numbers and take action where required.

186
187 Medley asked if respondents are able to provide feedback or if it is purely quantitative. Day-Stirrat
188 replied there is a comment box, and the Agency reports the statistics but does not always share the
189 comments due to privacy details, however, all the comments are looked at.

190
191 Briefing: **No Board Action Required.**

192
193 **10) Calico Grassy Mountain Gold Mine Project Update:**

194 Sarah Lewis, MLRR Program Manager, and Dayne Doucet, Consolidated Mining Permit Lead, gave a
195 technical presentation on Calico Grassy Mountain Gold Mine Project Update.

196
197 Lewis stated the Grassy Mountain Project update is usually part of the MLRR Program Update, but it
198 was requested at the last Board Meeting to provide a broader overview because the project has been
199 advancing quite rapidly, which she credited Dayne Doucet, Consolidated Mining Permit Lead for this
200 advancement. Lewis said his position is becoming full-time from .75 FTE starting on July 1, 2023 as
201 part of the new budget; she then turned it over to Doucet for the presentation focused on logistics,
202 timeline, and partners. It was noted that technical details would not be discussed during this
203 presentation because there is not a finalized application at this point, but there is a future
204 opportunity to present to the Board after that happens.

205
206 Doucet introduced himself, saying he joined DOGAMI in September 2022, and was previously the Oil
207 & Gas Permitting Manager with the Utah Division of Oil, Gas, and Mining. He stated the presentation
208 would discuss the Consolidated Mining Permit Process in general, then specifically the Grassy
209 Mountain Project.

210
211 The overall goals of the Consolidated Mining Permitting Process in Oregon are to:

- 212 • Ensure coordination between State agencies, federal agencies, and local governments
- 213 • Consolidate Baseline Data requirements for needed State permits
- 214 • Provide for a single comprehensive environmental analysis and socio-economic study
- 215 • Provide a clear path for application processing including required opportunities for public input
- 216 • Designate a single lead agency to provide coordination, accountability, and to mediate
217 disagreements between agencies
- 218 • Provide certain and limited permit requirements for applicant
- 219 • Ensure environmental standards are met

220
221 The ten (10) key steps in the Chemical Process Mining Application are:

- 222 1. Notice of Intent to submit a Consolidated Permit Application (CPA)
- 223 2. Notice of Applicant's Readiness to collect Baseline Data
- 224 3. Collection of Baseline Data
- 225 4. Filing of a Consolidated Permit Application including an operating plan, Baseline Data,
226 reclamation and closure plan, and an alternatives analysis
- 227 5. Review Consolidated Permit Application for completeness and Baseline Data verification
- 228 6. Notice to Proceed if the application is complete
- 229 7. Preparation of an Environmental Evaluation and Socio-Economic Impact Analysis
- 230 8. State agency preparation of draft permits
- 231 9. Final Permits
- 232 10. Consolidated Contested Case (if requested)

233
234 One of the requirements in the Division 37 Rules is the creation of a Project Coordinating Committee
235 (ORS 517.965), referred to as PCC. The purpose of the PCC is to share information and coordinate
236 county, state, and federal permitting requirements in order to avoid contradictory requirements;
237 facilitate the exchange of ideas, promote interdisciplinary decision making, optimize communication,
238 and avoid duplicative effort. DOGAMI is the facilitating agency of this committee, and the members
239 include: all permitting and cooperating agencies; affected federal agencies; local government
240 agencies; and any affected Tribal Nation.

241
242 The Division 37 Rules also require the creation of a Technical Review Team (ORS 517.967), referred to
243 as TRT. The purpose of the TRT is to:

- 244 • Provide an interagency and interdisciplinary review of technical permitting issues and serve in an
245 advisory capacity to a Project Coordinating Committee
- 246 • Approve the methodology to be used in the collection of Baseline Data
- 247 • Coordinate with the applicant the collection and verification of Baseline Data
- 248 • Determine the study areas for a proposed mine
- 249 • Identify any reasonable alternatives that were not analyzed by the applicant or contractor in a
250 Consolidated Application and direct staff or a third-party contractor to analyze such alternatives
- 251 • Determine whether any part of a Consolidated Application, including an Environmental
252 Evaluation, is complete
- 253 • Determine whether a proposed mining operation complies with the standards established in ORS
254 517.952 to 517.989, the (Div. 37) rules and the statues and rules governing the issuance of all
255 applicable permits
- 256 • Reconcile contradictory permit conditions
- 257 • Advise an applicant of the application requirements relevant to a proposed mine

258 DOGAMI is the facilitating agency of the TRT, and the members include: all permitting agencies,
259 which are those agencies that issue permits, and cooperating agencies, which are those agencies that
260 achieve compliance with State standard or policies via DOGAMI permit conditions.
261

262 Doucet shifted the discussion to the Grassy Mountain Project. The mine site is located 22 miles south
263 of Vale, OR in Malheur County in Eastern Oregon. He showed a map outlining the project boundary,
264 access road, proposed power line, and mine mill/processing plant; and an aerial photo of the mine
265 site.
266

267 Doucet provided a very simple Mine Overview, stating it is an underground mine that will be using
268 closed loop processing, and includes a permanent tailings storage facility.
269

270 The Grassy Mountain Technical Review Team (TRT) Permitting Agencies are: DOGAMI; Oregon
271 Department of Environmental Quality (DEQ); Oregon Water Resources Department (OWRD); and
272 Oregon Health Authority (OHA). The Cooperating Agencies are: Oregon Department of Fish &
273 Wildlife (ODFW); Oregon State Historic Preservation Office (SHPO); Oregon Department of
274 Agriculture (ODA); and Oregon Department of State Lands (DSL).
275

276 The Grassy Mountain Project Coordinating Committee (PCC) Members are: TRT member agencies;
277 Bureau of Land Management (BLM); Burns Paiute Tribe; City of Nyssa; City of Vale; Oregon
278 Department of Land Conservation and Development (DLCD); Malheur County; Mine Safety and
279 Health Administration (MSHA); and US Fish and Wildlife Services (USFWS).
280

281 DOGAMI Participants are: Sarah Lewis – PCC; Bob Brinkmann – TRT; Dayne Doucet – Consolidated
282 Mining Permit Lead; Becky Johnson – administrative support; Stantec – DOGAMI’s technical
283 consultant; and other staff as needed.
284

285 Doucet reviewed a brief Project History.

- 286 • June 2012: Calico files a Note of Intent (NOI) to develop a gold extraction and processing mine in
287 Malheur County

- 288 • July 2016: Calico Resources is acquired by Paramount Gold Nevada Corp
- 289 • February 2017: Calico files a new NOI that expands the proposed permit boundary to include the
- 290 access road and power line route
- 291 • November 2019: Calico files a Consolidated Permit Application (CPA)
- 292 • February 2020: DOGAMI informs Calico that the CPA is not complete
- 293 • December 2021: Calico files a revised CPA (not determined complete)
- 294 • February 2023: The Technical Review Team (TRT) accepts the final Baseline Data Report as
- 295 complete

296
297 Doucet reviewed the Consolidated Permit Application (CPA) Timeline flow chart, which he described
298 as swim lanes for the applicant, PCC, TRT, and Public Process. Phase 1 is the Application Review, and
299 Steps 1-4 have been completed based on the project history reviewed.

300
301 It is currently at Step 5 in the process, Review CPA for completeness and Baseline Data accuracy,
302 which has a maximum of 90 days for the initial submission, that has been completed, but was
303 determined not complete; A revised CPA has been filed but not determined complete yet, as they are
304 currently working to resolve the comments. The revised CPA generated about 500 comments and
305 the TRT has resolved close to 300 comments. He reviewed a chart showing the number of remaining
306 unresolved comments necessary for completeness, which some can be addressed with permit
307 conditions. Once the completeness determination is made, DOGAMI will issue a Notice to Proceed
308 (NTP), which is Step 6.

309
310 Phase 2 of the CPA is Drafting Permits. Step 7 is Preparation of an Environmental Evaluation (EE) and
311 Socio-Economic Impact Analysis (SEIA); with Calico's approval, DOGAMI's consultant Stantec has
312 already started preparing these documents. Doucet noted that the EE is happening in coordination
313 with the BLM and concurrently with the EIS/NEPA process, information is being shared so there is no
314 duplication of efforts and there is some consistency between the federal and state process. Once the
315 NTP has been issued, State agencies have 225 days to issue draft permits (Step 8). Draft permits
316 cannot be issued until at least 60 days after the EE is complete.

317
318 Once the EE is complete, there will be Public Notice and Public Comment for 14 days, and after the
319 Consolidated Draft Permit is issued, there will be a Consolidated Public Hearing. Within 45 days of
320 this hearing, DOGAMI shall issue or deny the final Consolidated Permit (Step 9) and provide Public
321 Notice of the issuance of final permit. Once the Notice to Proceed is issued, there is a 1-year
322 statutory deadline to either issue or deny the permit.

323
324 The applicant or any person who appeared before a permitting agency at the Consolidated Public
325 Hearing, either orally or in writing, may file with the State Geologist a written request for a
326 Consolidated Contested Case Hearing within 30 days after the date the permit was granted or
327 denied (Step 10).

328
329 Key Issues: Finalizing a completeness determination on the CPA – progress is being made but the
330 remaining few comments need to be resolved; the chemical process used by the proposed mine –
331 this is the first chemical mining permit in Oregon and agencies and the public want to get it right
332 since it involves cyanide, causing heightened awareness and concern; and the regulatory timeline of
333 issuing or denying a permit – agencies are concerned that 1 year is not enough time to finalize the
334 permit.

335
336 Doucet wrapped up by saying he will do everything he can to facilitate the process and the TRT will
337 strive to meet the timelines. One step that has been taken is to start the Environmental Evaluation
338 process early, in hopes of allowing permitting agencies to begin drafting permits sooner than what
339 would be feasible if the EE is not started until after the Notice to Proceed is issued.

340
341 Medley asked if they plan to impound water with the tailings dam. Lewis said there is a tailings
342 storage facility and it is not expected to have a significant liquid storage, mostly materials that have
343 already been through the closed process; mostly tailings as opposed to wet slurry. She believes WRD
344 is the agency responsible for the dam assessment and classification, and DEQ will be issuing permits
345 related to the operation of the facility.

346
347 Medley said mine tailing dams are renowned for having poor construction and although they do not
348 plan to impound water, if a flood event or a rainstorm happens, essentially there will be a dam. She
349 guesses it is fairly low risk because of the low consequence potential downstream. She is happy an
350 assessment is being done since it will be another dam in the State. Day-Stirrat said the risk
351 assessment is being reviewed to look at those elements and make sure the tailings facility is secure

352
353 Doucet added that the design for the tailings storage facility, the storm water management design
354 was designed for a 500-year flood, so they designed it to handle a significant amount of storm water.
355 Medley said to her, 500 years is really frequent. She understands they are doing the assessment and
356 there is a chance to review.

357
358 Kozlowski asked if there is any prediction for when the application will be deemed complete. Doucet
359 said he is cautiously optimistic, maybe by the end of the year.

360
361 MacDonald asked if there is any support or work element he anticipates tasking the Board with
362 between now and the Notice to Proceed. Lewis said she does not believe there is a decision-making
363 component for the Board in the permitting process.

364
365 Kozlowski thanked Doucet for the comprehensive report, stating it was an excellent presentation and
366 a very long, complex process, that his entrance into the project has expedited the process.

367
368 Briefing: **No Board Action Required.**

369
370 **11) MLRR Update:**

371 Sarah Lewis, MLRR Program Manager, provided a brief update on MLRR.

372
373 Permit Status Summary

374 Lewis stated there is a lot of information in the Board Packet and she would just touch on some
375 highlights. The general permit activity and total permit number continue to be high. The number of
376 active applications continue to increase, including new applications received around the exploration
377 for lithium in the Southeast Oregon along the Nevada border. For March through mid-June, 20 new
378 applications were received, consisting of 2 transfers, 2 amendments for Operating Permits, and 16
379 new applications comprised of: 1 Exclusion Certificate, 2 Operating Permits, and 13 Exploration
380 Permits. During the same period, MLRR issued 1 Exclusion Certificate, 1 Exploration Permit, 1 Site
381 Closure, and transfer of 3 Operating Permits. The Program continues to spend a significant amount

382 of time responding to complaints, resulting in the issuance of Suspension Orders at 4 sites. The need
383 for additional capacity around complaints and compliance is recognized in the two new positions
384 focusing on compliance issues and permit review approved by the Legislature for the 2023-35
385 biennium.

386
387 Two new Civil Penalties for non-payment of renewal fees have been approved by the State Geologist.
388 Lewis stated the Program has been working to prepare an update for the Board regarding the Ekroth
389 Pit case previously approved for Mining Without a Permit (MWOP). Due to staffing shortages, MLRR
390 has enlisted the help of the Department of Justice (DOJ) in preparing the case for review.

391
392 MacDonald asked if MLRR has been seeing any substantive change in the complexities of the
393 applications. Lewis said the complexity of the technical sites is not changing, but due to the pre-
394 application meetings, staff have been seeing more applications closer to being complete when they
395 are submitted; there is a definite improvement in the materials received.

396
397 Lewis introduced Justin McGillivray, a limited duration (LD) Permitting Specialist who started in April,
398 his background is in geography and wastewater management, and he has already made a
399 demonstrative change in the work process. She stated in May 2023 Nick Tatalovich left the Agency
400 after accepting a position in the private sector, he had been the lead Aggregate Permitting
401 Reclamationist for all the permit applications; she acknowledged the contributions he made and said
402 he will be missed. The recruitment to fill that position is in the final stages, with plans to onboard the
403 new employee on July 10, 2023. MLRR is adjusting the responsibilities of the position and looking at
404 making improvements to how the process is completed to reduce the workload of the aggregate
405 lead, as it not reasonable for one person to track that many applications. This is also an excellent
406 opportunity to help move the Program into a better project management workflow, as it will directly
407 support the move to ePermitting and required of the new system. This whole transition to
408 ePermitting will take a couple of years, so MLRR is asking for patience while it gets everything into
409 place.

410
411 Kozlowski asked if MLRR will be hiring another staff member. Lewis explained the two positions
412 added through the budget package are for compliance and permit review, and not funded through
413 General Fund but Other Funds; it is more the funding of existing positions already hired for workload.

414
415 Kozlowski said the information in the Board Packet was excellent and she particularly liked the
416 newsletter, there is a customer warmth that comes through.

417
418 Briefing: **No Board Action Required.**

419
420 **12) GS&S Update:**

421 Jason McClaughry, GS&S Program Manager, provided a brief update on the GS&S program.

422
423 McClaughry said the Board Packet contains detailed information on recent publications that have
424 been released and grant proposals currently being worked on and their status in the process.

425
426 Since the last Board Meeting, the Program has hired Dr. Michael Darin as the Eastern Oregon
427 Regional Geologist, since McClaughry is now the permanent GS&S Program Manager. Darin came
428 from the Nevada Bureau of Mines and Geology and was also an Associate Professor of Structural

429 Geology for the University of Nevada, Reno. In the past year, GS&S has hired two additional higher
430 educated staff in the Lidar Program and Remote Sensing, and Geologic Hazards section focusing on
431 earthquakes, both with PhDs. The two new legislatively approved mapping positions will significantly
432 enhance the capacity for current workloads in geologic mapping and leverage additional funding in
433 the future. The Program has also brought on, through the BLM Program Coos Bay project, a landslide
434 intern from PSU, who is a master's candidate, and DOGAMI is working to establish a dedicated
435 annual training program to continue to educate and train students, building the next generation of
436 mappers.

437
438 One grant not highlighted in the packet is from the US Geological Survey (USGS) to do more work on
439 post-fire debris flow monitoring and analysis in Oregon, and it is a 5-year cooperative agreement for
440 \$40,000 a year. A request for approval has been submitted to LFO.

441
442 The aeromagnetic and radiometric geophysical data collections in the Baker Valley are almost
443 completed, this will help with current project in the Harney Basin and be used in leveraging
444 additional funds and resources needed for future projects.

445
446 The cooperative project with the Department of Land Conservation and Development (DLCD)
447 studying the geology of undersea cables coming onshore was completed on June 15, 2023 and the
448 publication will be released on June 30, 2023 as DOGAMI Special Paper 54, Dr. Reed Burgette is the
449 main author and the Agency's Lidar Coordinator and Remote Sensing geologist.

450
451 Kozlowski said the grant applications are significant and asked if the Agency has capacity to
452 perform/complete the work. McClaughry said yes, it is tracked carefully and there is a detailed
453 process for determining the grants the Agency goes after. At the beginning he and Dahlberg review
454 staffing capacity, how the project meets Agency mission and goals, a plan is done, and then it goes to
455 LTM for approval to move forward. The two new NRS positions for a Mapping Geologist and Mineral
456 Resource Geologist, approved by the Legislature, will work on existing STATEMAP and Earth MRI
457 projects.

458
459 Kozlowski asked how the technical publications and reports are distributed to people outside the
460 Agency. McClaughry said most are released on the Agency website and are free for downloaded. He
461 added Alex Lopez, DOGAMI's Public Affairs Coordinator, does news releases; there are public
462 meetings and outreach for the project; and the Agency is starting to reach out to legislative
463 representatives in the area of the upcoming release to make them aware of the publications, as well
464 as getting them in the hands of decision makers.

465
466 Medley asked about fault mapping work being done in the Mt. Hood area. McClaughry said the
467 study she referred to was done by Dr. Ashley Streig at Portland State University and Scott Bennett of
468 the USGS, the work stemmed from the USGS STATEMAP funded work geologic mapping done in the
469 Hood River Valley 2011 and published in 2012. DOGAMI has been collaborating with them ever since
470 and the data fault and earthquake data is incorporated into the Agency's publications. Plans for
471 future proposals are being worked on. A longer discussion took place on future Lidar plans
472 associated with hazards work.

473
474 Briefing: **No Board Action Required.**

475
476 **13) Director's Report:**

477 Ruarri Day-Stirrat, Director & State Geologist, provided an update on the Agency.

478

479 Agency Update

480 Director Day-Stirrat stated DOGAMI has made a big push on mapping in the last year in terms of
481 bringing in new staff and significant federal grants. He believes the Legislature has agreed that
482 mapping the State is really important and it is gratifying to have the 2 positions being granted to the
483 Agency. He is firmly of the opinion that a lot of data in Eastern Oregon is needed over the next few
484 years to help with the questions related to water and minerals. The Agency has put into place an
485 opportunity to provide the State with data so it can make data-based decisions.

486

487 It has been a positive Legislative Session. DOGAMI was in front of the Legislature several times for a
488 variety of things, not just the Ways and Means Committee for the budget, that included presenting
489 grant opportunities to the Natural Resources Subcommittee related to FEMA grants. This has been a
490 team effort, at least five staff members presented on behalf of DOGAMI to the Legislature, and even
491 when the Agency had nothing to say, staff were present, which he believes was noticed.

492

493 A big highlight from the budget is General Fund being approved for MLRR's ePermitting System. Day-
494 Stirrat said he was flagging the Board now about future discussions on the need to correct size the
495 MLRR program and have more staff brought in, which is going to be a long running theme over the
496 next year.

497

498 Day-Stirrat said he was quite disappointed in the OPB story related to a mine site in Prineville,
499 because it really did not reflect the work that the Agency has done. When it first came to his
500 attention, he essentially performed an audit, and all the steps taken by the MLRR program. When
501 the story came out, he sent an email to staff saying how impressed he was with the work they had
502 done and did not see any issues with the process the Agency had undertaken. There has been
503 significant coordination with the Governor's Office since this is now a jurisdictional issue question, if
504 the situation is not related to mining. Those conversations have begun.

505

506 On Tuesday he hopes to meet with representatives from the community and their technical support,
507 and from the company and their consultant, to understand all of the data, not just the data DOGAMI
508 has. On Wednesday of next week, there will be a small meeting in Prineville where residents will get
509 to express their concerns directly to him and he will help them navigate the State system.

510

511 Day-Stirrat wanted to let the Board know that what was printed in the press is not a reflection of the
512 work the Agency has done, and its broader understanding of the situation. He stated DOGAMI's role
513 now is helping the residents get to an appropriate solution through other agencies, and in part to
514 educate them on the unique geology of Crook County, which through the STATEMAP Program, the
515 Agency has gathered a very rich data set that allows it to understand the situation quite well.

516

517 Kozlowski thanked Day-Stirrat for his proactive progress on the issue, the research, and being present
518 at the public meeting with the community.

519

520 Briefing: **No Board Action Required.**

521

522 **14) Confirm Time and Date for next meeting:**

523 Vice-Chair Kozlowski stated the next DOGAMI Board is currently scheduled for Monday, September
524 25, 2023 at 8:30 a.m. – 1:00 p.m. in Portland or via Zoom. She confirmed this date is still acceptable
525 for the Board. Due to some calendar conflicts, voting items may need to be rearranged on the
526 agenda schedule to accommodate as necessary.

527
528 **15) Public Comment:**

529 Only written comments received prior to or by 1:00 p.m. on the day of the meeting were to be
530 accepted. Chair Ashford asked for any written public comments. No public comments.

531
532 **16) Board Adjourn:**

533 Vice-Chair Kozlowski adjourned the meeting at 11:51 a.m.

534
535 APPROVED

536
537 
538 _____
539 Scott Ashford, Chair

540