

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

Tuesday, March 25, 2025

8:30 a.m.

Virtual Public Meeting

1) Call to Order: (Linda Kozlowski, Board Chair)

Chair Kozlowski called the meeting to order at 8:33 a.m.

2) Introductions: (Linda Kozlowski, Board Chair, and Staff)

Chair Linda Kozlowski, Vice-Chair Anne MacDonald, Board Members Tiffany Thomas, and Ruth Dittrich were all in attendance via Zoom video/phone. Board Member Diane Teeman was not in attendance.

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

Ruarri Day-Stirrat – Director/State Geologist

Lori Calarruda, Recording Secretary/Executive Assistant

Alex Lopez, Public Affairs Coordinator

Sarah Lewis, MLRR Program Manager

Steve Dahlberg, Chief Financial Officer (CFO)

Christina Appleby, Legislative Coordinator and Geologist

Others in attendance:

Diane Lloyd, Department of Justice (DOJ)

3) Review Minutes of December 12, 2024 Board Meeting:

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

Board Action: **Thomas moved to approve the minutes of December 12, 2024 Board Meeting as submitted. MacDonald seconded. Yes Votes: Kozlowski; MacDonald, Thomas; Dittrich. Motion carried.**

4) Financial Report:

Steve Dahlberg, Chief Financial Officer, presented the DOGAMI FY2025 Budget Status Report, as of January 31, 2025, for the Geological Survey and Services (GS&S) and Mineral Land Regulation & Reclamation (MLRR) programs. The Board Packet contained the financial actuals, graphs, and projections.

Dahlberg said the numbers look similar to the previous Board Meeting, but have been updated with the actual expenditures. He reviews what the Agency actually spends, normal occurring expenses, what is coming in, and what could be on the horizon that he needs to plan or reserve budget capacity for.

19 DOGAMI's General Fund expenditure budget is \$7.8M with projected biennium expenditures
20 expected to be \$7.5M, resulting in the Agency being \$250,000 underbudget. Expenditures include
21 new equipment and projects that required match, such as USGS STATEMAP, Data Preservation,
22 Landslide, and Earth MRI. The Other Funds single largest funding came from the Private Forest
23 Accord, but is also made up of other State Agencies and several universities. There are currently
24 thirteen active Other Funds grants, which several are multi-year grants; currently there are no active
25 Lidar projects. For Federal Funds, there are currently sixteen active Federal grants. Recently two
26 FEMA grants were closed out and two will be closing out before the end of this calendar year. There
27 are four Lidar projects that are finishing up. Federal grants make up approximately 70% of the
28 Federal revenues, which are the ones requiring staff to do the work, versus Lidar grants, where the
29 Agency pays the bulk to a vendor. The Agency has been awarded the USGS Landslide Grant and is
30 awaiting decision on additional different USGS grants that have been submitted.

31
32 MLRR Other Funds revenue is strong due to good production, renewal fees new permit fees and the
33 DEQ Water Quality fees. The 6-month Operating Reserve has dropped to almost 90% of the target
34 amount due to higher than anticipated professional services and legal costs. The projections were
35 put together 2.5 years ago, and take into consideration what the Program thinks might happen, but
36 not to this amount. MLRR continues to look for ways to address the high permit application load,
37 that includes hiring a limited duration position to help.

38
39 Dahlberg shared the 2023-25 General Fund Utilized Budget graph, which is a representation of the
40 burn rate of the General Fund dollars that shows a little bit of money will be left and reverted back to
41 the General Fund. He reviewed and explained graph details for the GS&S Grants 2019-28, stating
42 DOGAMI is working with a new tool that helps allocate staffing to the different projects out into the
43 future that is great for planning.

44
45 Dahlberg briefly went through additional slides that are in the Board Packet. He stated the big drop
46 in Federal Funds is due to the Agency not receiving the Lidar projects that were anticipated from the
47 prior biennium. In speaking with other managers, Lidar tends to go in cycles. It is currently in a down
48 cycle and will probably pick up in the future. MLRR's new total of \$5.9M is due to the \$750,000
49 increase approved in the December E-Board. As for ePermitting, DOGAMI is in the vendor contract
50 negotiation stage and is making progress moving forward. The Agency will be utilizing the DEQ
51 Project Manager and Business Analyst.

52
53 In closing, he stated the Agency is doing well and is on track with all of its tracking and analysis.
54 There was a little hiccup with the Federal grants, but DOGAMI is navigating the Federal funding
55 issues. The Agency is in the budget process and keeping open communication with the LFO, CFO,
56 DAS, and the Governor's Office.

57
58 Thomas asked which grants were at issue and is there any indication that funding is at risk. Day-
59 Stirrat stated he was going to provide an update during his section and asked to answer it then.

60
61 Chair Kozlowski said it was an excellent report, well documented and very informative.

62
63 Board Action: **Thomas moved to accept the Budget Status Report as presented. MacDonald**
64 **seconded. Yes Votes: Kozlowski; MacDonald, Thomas; Dittrich. Motion carried.**

66 **5) Director's Report:**

67 Ruarri Day-Stirrat, Director & State Geologist, provided a brief update on the Agency.

68
69 Agency Update

70 Day-Stirrat discussed the Federal Grants being locked and the Agency being unable to access them
71 through the Treasury website. Department of Justice (DOJ) and the Governor's Office worked to help
72 get them reinstated. There are now issues with DOE and FEMA being closed off. They are now
73 following the same action through DOJ and the Governor's Office. There are several grants that are
74 in a Notice of Intent to Award with US DOE that the Agency has not received any communication
75 from those programs yet. The grants the Agency has been told it will receive have not begun
76 contract negotiations. The loss of access to the previous grants was around the language related to
77 diversity, equity, and inclusion (DEI) and Environmental Justice that was required to be put into the
78 grants to be successful, and those were asked to be removed, which was not consistent with the
79 contracts already signed. Going forward, the Agency will continue to use the process already in place
80 to evaluate new grants to decide whether to apply for them.

81
82 New grant opportunities continue to be explored. There is a larger opportunity the Agency is
83 currently exploring around geothermal with US DOE. Also, a multi-state Geological Survey group has
84 met and is going to attempt to put a portal together to integrate data across the entire Western US,
85 with Utah leading the effort and all Western States to Pacific participating.

86
87 Strategic Plan Update

88 The Department of Administrative Services (DAS) has asked agencies to update their plans. The
89 Agency will review the Strategic Plan and come back to the Board in June to request any updates.
90 Day-Stirrat believes it is more of an exercise to discuss what progress has been made against the
91 goals set.

92
93 DOGAMI Budget/POPs/Fee Bill Discussion

94 In early February the Agency presented the Governor's Recommended Budget (ARB) to the Natural
95 Resources Subcommittee. The second day there was comment and testimony on the Agency's
96 budget. Most comments were positive, with the exception of the Oregon Concrete and Aggregate
97 Producers Associations (OCAPA).

98
99 The House Committee on Agriculture, Land Use, Natural Resources, and Water requested an
100 informational session on geologic carbon sequestration, that was scheduled for 20 minutes but went
101 for 65 minutes. It was an engaged conversation where the Committee members honed in on all the
102 key issues and they were able to discuss it. Day-Stirrat mainly presented, but was joined by Director
103 Walker from the Department of State Lands (DSL).

104
105 The Agency also presented the MLRR Fee Bill, SB 836. It is being moved to the Rules Committee with
106 no recommendation. OCAPA has requested a process audit be done before they will take any
107 particular position on the Fee Bill. The audit was requested on December 19, 2024. The MLRR
108 Program is in the middle of the process audit, and the final results are expected on April 11, 2025.
109 Due to the audit survey being sent to permittees and applicants, the normal Customer Service Survey
110 will not go out and it will be noted in the KPMs.
111

OCAPA has presented a competing fee bill with no numbers associated with it, but it does not include the drilling programs, so everything the Program needs to be done is not covered. The Agency needs to ensure that surface mining, oil, gas and geothermal are all looked after in equal measure.

OCAPA has introduced a policy bill that seeks to remove a certain amount of agency regulatory authority, with three buckets that are largely placeholders. The Agency is engaged in a conversation with that group around potential legislative changes.

It has been an extremely disruptive period with the grant situation due to the Agency being dependent on the Federal Grants. The Agency has been able to navigate a pathway to the end of the biennium due to the work CFO Dahlberg has done in handling the budget.

Thomas asked if it was a wholesale pause on budgets under that funding program or was it specifically targeted to any particular funding or project. Day-Stirrat said initially all grants had been removed, then slowly certain grants back into the system, and the Agency had to check daily to see what was available and what was not. The Department of Interior (DOI) grants are open at the moment, but the FEMA grants are still closed, the Agency anticipates those grants will come back.

Vice-Chair MacDonald asked about OCAPA's interest in removing some of the Program's regulatory authority; what authority they wanted to remove, moving them to a different agency, or removing the regulation altogether. Lewis said the bill introduced is meant as a placeholder, but has three specific key things.

The first one is to simplify the transfer application for operating permits to exclude anything but the business side of the transfer. She explained the additional oversight and review of the permit potential site inspection is written in rule, which the Board sets, and the statute mentions there should be additional rules made around that. MLRR has worked with OCAPA on a potential fix that does not change statute and retains the Program's rule authority around transfers.

The second one is to exclude certain drilling from Exploration Permits when it is done by a water well driller, which would in effect remove a permit process prior to drilling. MLRR has proposed the development of a standalone drilling program with just two staff completely covered by drilling program fees, will address the backlog around Exploration Permits.

The third is around the Consolidated Application for Chemical Process Mining, and the requirement for a Land use Compatibility Statement for certain actions, which DOGAMI does not require for things. She believes this is more targeted at some of the other partners and the balance between Federal authority and State authority on State lands. The State does retain authority for mining on State lands, even if there is no Federal process. The State would continue MLRR's rigorous processes under the current regulations, even if there was not any Federal oversight. Vice-Chair MacDonald asked if DOGAMI is working with DEQ on this topic. Lewis answered DEQ is aware of the write-in around well drillers, and Water Resources as well.

Chair Kozlowski asked Day-Stirrat how he is communicating the issues to staff during this stressful situation. Day-Stirrat said weekly grant meetings have been happening that inform staff of everything that is going on, what actions the Agency has taken, the actions happening at the State level, and where things are now. Kozlowski asked about the morale of the staff. Day-Stirrat replied it

is cautious, but they are very focused on their work and delivering on the promises they have made. Kozlowski said communication at a stressful time is critical.

Chair Kozlowski asked about the impact to carbon sequestration and where it stands at this point. Day-Stirrat said he believes it will continue, just the funding portion may change.

Chair Kozlowski congratulated Leadership and staff, stating the financial reports are excellent and staying on top of the issues during this really critical time; kudos to everyone for what they are going through right now and keeping everything focused on what is important.

Dittrich asked Day-Stirrat how he feels about the awards the Agency has received Notification of Award for but have not signed the Grant Agreements. Day-Stirrat said he believes the grants will be successful, they may just need to change a little bit.

Briefing: **No Board Action Required.**

6) Legislative Update:

Christina Appleby, Legislative Coordinator and Geologist, provided a Legislative Update.

Appleby started by framing the big picture around the legislative process. The Legislative Session is over 1/3 of the way through, it started in late January and ends at the end of June. There were 3,393 bills introduced this year, which is a record number in the Legislature. There are deadlines throughout the process that bills need to meet to stay “alive” and continue to move forward to potentially become law. She briefly explained the bill process. The deadline for introduction of new bills has passed, and last Friday first committee work sessions needed to be scheduled and posted online. There are roughly 2,000 of the 3,400 bills listed as active in the system. April 9th is the next key deadline, where committees need to have the initial work session actually held. Bills moved over to rule takes them out of the timeline of deadlines, so it can remain alive.

DOGAMI’s Budget Bill was presented to a joint committees, therefore it is exempt of the timeline of deadlines. The informational session and public hearing took place in early February, the next step is to have the work session scheduled within the next two months to keep the Budget Bill moving forward.

Bill package HB 3492, was introduced by a legislator and not coming from DOGAMI, is for DOGAMI to complete a study of earthquake induced toxin inhalation, statewide. She briefly explained the reason behind the bill. It has made it through its public hearing and work session. Since this is not the normal practice of geology, it is something the Agency would work in partnership with one of the State universities to bring in external expertise on. It would be additional workload for the Agency.

Appleby is keeping track of other bills outside of the Agency that are relevant but do not necessarily directly impact DOGAMI but are of interest.

Chair Kozlowski asked if the tsunami earthquake bill is being funded. Appleby said it is a conversation the Agency is actively having with the Legislative Fiscal Office (LFO) to ensure adequate funding is going to be provided from the legislature so the work can be completed. The goal is to not have unfunded new work added to the Agency’s plate. Kozlowski asked if DOGAMI will partnering with

OEM on this particular bill. Appleby said there is a small role for the Department of Emergency Management within the bill and explained briefly how the report would be reviewed.

MacDonald asked if DEQ is tracking this bill as well, since it deal with air releases. Appleby said they were aware of it and would probably want to use the datasets after they are produced.

Briefing: **No Board Action Required.**

7) MLRR Update:

Sarah Lewis, MLRR Program Manager, provided an update on MLRR.

Permit Status Summary

Lewis stated the application workload is holding steady and they are issuing permits at a pretty good clip. She reviewed the Workflow Chart, stating of the 83 active applications for surface mining, 28 are with DOGAMI in various stages of progress and 55 have been returned to applicants for revision. Thirteen new applications have been received since December. In addition to issuing permits, staff work to close sites out/down, two sites have been closed down in the last 3 months. Staff are also beginning to focus on withdrawals, which are applications where the process has either stalled out or stop and are not able to move forward at this time, so they have been withdrawn. In statue and rule there are timelines for the Agency to review materials and for applicants to respond. DOGAMI is not holding applicants to the short timelines, but after 12 months of no forward movement, the Program is withdrawing the application. This does not apply to applications that are mandatory due to a compliance issue. The next quarter staff will focus on identifying those applications ready to be withdrawn from active status. A long list of withdrawn applications is expected, but many will be moved back into the Pre-Application bucket.

Chair Kozlowski asked if the withdrawals are coming from the audit process. Lewis said no, this conversation started last year. Staff have been trying to contact the applicants but have not received responses back. Two applicants have received withdrawal letters and they reached out and asked for Pre-Application meetings. She added that with the current process of the Pre-Application meetings and initial Completeness Review, the Program is starting to see an improvement in the quality of materials received. She feels if they address some of the older applications that did not go through that process, getting them back in the queue will put them in a better position to move them forward in a timely manner.

One Suspension Order was issued in February for Mining Without a Permit (MWOP), this was in coordination with Umatilla County. This was the first Suspension Order in almost 2 years. There were four Civil Penalties for late payments. There is no significant update for the Mining Without a Permit Civil Penalty cases. One was closed in the fall, and they are still waiting for the Administrative Law Judge decision on the Eckroth case, which is anticipated this week.

Grassy Mountain

The Grassy Mountain Project is still in the Permit Drafting Phase, which is a 220 day cycle. It is anticipated by mid-May the permitting agencies and cooperating agencies will submit their permits and conditions to DOGAMI, which the Agency will construct an overarching consolidated permit. On March 3, 2025, the Technical Review Team (TRT) finalized the list of best available practical necessary technology, which has been shorted to Best Tech for the project. This actually supports the drafting

of the permits by setting what the State is going to require as the appropriate technology for this project. This is another milestone for the project. The applicant is also very cooperative in the process, and the applicant is happy to add the additional measures recommended by the State to their plans.

Chair Kozlowski asked how long this has been in process and if there is an estimated time the process should be completed. Lewis said technically the time clock ends on October 1, 2025, which is the time the Agency would need to issue a Final Permit. However, the Program is still closely coordinating with the Federal process and they are not as far along as originally anticipated. The State is committed to working on issuing the draft Consolidated Permit, but there are aspects of the State process that requires Federal concurrence. In order to issue a Final Permit, a record of decision by the Federal Government for their portion of the project is needed. If that is delayed, DOGAMI cannot issue the Final Permit. There are also environmentally related portions of the process the Federal Government is doing, that the State is relying on, which DOGAMI has deferred the State action to accept the Federal decision. If the Federal process does not include that piece, the Agency will have to work with the applicant on how to fulfill that need on the State side. The Program is in close contact with the applicant and have already started these conversations.

ePermitting

The kick-off meeting with the project team took place last week. MLRR did receive approval for special procurement with the selected vendor, which is the same vendor DEQ is using, and the contract negotiations have begun. Lewis will have more timeline specifics at the next Board Meeting. This will improve the process efficiency on the administrative side and customer service part of the Program for payments, renewals and Public Record Requests, but it will not reduce the application backlog. The timeline still is about 18 months to 2 years out.

Permit Process Audit

Lewis stated the Agency decided to do the audit to find out if there are things the Program could be doing that would improve process proficiency. The scope that was developed was twofold, process efficiency and risk assessment. She reviewed the scope of the audit request, which included identifying risks related to noncompliance inefficiencies or process bottlenecks. At the end, the vendor is going to provide actionable recommendations to address the identified risks, which will be a report and potentially an implementation plan. This is not a short term fix and is something that is going to take years to accomplish.

Chair Kozlowski asked if in the process of interviewing staff, was there anything that could potentially be an issue. Lewis said they kind of gave an overview of areas they have identified that are of interest, but did not discuss what the solutions might be yet. They definitely have some new insights, but no major surprises. Kozlowski stated this is a good thing and it is going to be beneficial in the long run.

Vice-Chair MacDonald asked if they are looking at possible places for supplementing staff efforts with AI. Lewis said she believes it is something they are reviewing.

Briefing: **No Board Action Required.**

8) GS&S Update:

Director Ruarri Day-Stirrat, provided the GS&S program update.

Publications:

Day-Stirrat stated there were 20 publications in 2024, which is close to an all-time record, and there are 4 so far this year, with another 7 already in preparation. He highlighted two recent reports that were published. The first publication he discussed was the Ebola State Park Landslide Risk Analysis. This work was funded by the Department of Parks and Recreation. It deals with infrastructure resilience at Ecola State Park. He pointed out the plates published in the report are truly excellent and the cartography is really great. The second report is the Multitemporal LIDAR Analysis of Pre- and Post-Eagle Creek Fire Debris Flows, Western Columbia River Gorge, Hood River and Multnomah Counties, Oregon. It is Special Paper 55 (SP-55) by Bill Burns, where he uses multi-year Lidar to track changes. The Agency thinks this is a methodology that could be deployed nationally, and it was a collaborative effort between FEMA, USGS, University of Oregon, and ODOT. The recent press release on the report included a positive comment from the Governor around the study and the advances in technology the Agency and others are deploying.

Grants:

The original STATEMAP project proposal of \$1.6M was asked to be reduced/downgraded to \$500,000 for the Federal portion, due to timing issues with how grants are administered in the Federal government, so the total project will now be \$1M. The quadrangles that will not be done this year will be moved into next year. Part of the proposal includes quaternary fault mapping to update recent fault history. The USGS Data Preservation proposal was successful. This is significant because it was the first Federal grant for a junior staff member, and it was awarded. A second USGS National Landslide Hazard Program Grant, in the amount of \$100,000 with matching requirements, was successful. The Landslide Program has not received legislative support with State appropriations, so the Agency's strategy is building the program from the bottom up using Federal funding and interns mentored under Bill Burns, who is a national expert. It is highly likely the Agency will receive another Earth MRI mapping grant, this time for the Cornucopia Mining District in Baker County. The USGS requested start date for this grant is November 2025, which the Agency agreed to accommodate; there is likelihood of success for receiving this grant. DOGAMI has received over a \$1M for four grants over the last 2 years. There are two DOE grants in the Notice of Intent to Award stage the Agency is still waiting for a decision on. One is about \$400,000 for DOGAMI, that is related to cores being held at Oregon State University, and the second is the Carbon Ore, Rare Earth, and Critical Minerals Initiative, led by the University of Alaska Fairbanks.

Thomas asked about the scope of the FEMA grant. Day-Stirrat said they are front loaded with a pre-application meeting before the Notice of Proposal is sent out. He explained the process and said they require Legislative approval to submit the proposal.

Outreach:

DOGAMI took part in a Career Fair at PSU. Day-Stirrat acknowledged Lopez and Calarruda for putting together professional outreach material for the Agency.

Bill Burns has been accepted into the National Federal Advisory Committee on Landslides. This is part of the National Landslide Preparedness Act.

Chair Kozlowski said it is excellent for Burns and he has done amazing work, so to be recognized nationally is outstanding. She is pleased and amazed at how well the Agency is doing with the grant

348 applications given the environment. She believes it is driven by being proactive and making sure the
349 Agency is on target, and thinks staff have done an exceptional job along those lines.

350
351 Briefing: **No Board Action Required.**

352
353 **9) Confirm Time and Date for Next Quarterly Meeting and Board Retreat/Special Meeting (May 23,**
354 **2025):**

355 Chair Kozlowski stated the next DOGAMI Board is currently scheduled for Tuesday, June 24, 2025 at
356 8:30 a.m. – 1:00 p.m. in Portland or via Zoom. She confirmed this date is still acceptable for the
357 Board.

358
359 The Board Retreat and Special Meeting are currently scheduled for Friday, May 23, 2025.

360
361 MacDonald asked if the Governor's Office has worked with agencies to build contingency strategies
362 for some of the Federal grants where the rug can be pulled out from under them. Day-Stirrat said
363 this would be a great topic to defer to the Board Retreat.

364
365 **12) Public Comment:**

366 Only written comments received prior to or by 10:50 a.m. on the day of the meeting were to be
367 accepted. Chair Kozlowski asked for any written public comments. No public comments.

368
369 **13) Board Adjourn:**

370 Chair Kozlowski adjourned the meeting at 10:14 a.m.

371
372 APPROVED

373
374
375
376 
377 Linda Kozlowski, Chair