

**Oregon Consolidated Application and Permitting Process – Chemical Process Mine  
Calico Resources USA**

**TECHNICAL REVIEW TEAM (TRT) – Meeting Notes**

**Date:** November 30, 2022; 10:00 AM – 12:00 PM PT

**Location:** Zoom teleconference, with public access by phone or online

**Purpose:** To review agency comments concerning the revised Consolidated Permit Application (CPA) materials.

<i>Attendees</i>	<i>Agency or Affiliation</i>
Sarah Lewis	Oregon Department of Geology and Mineral Industries (DOGAMI)
Ruarri Day-Stirrat	DOGAMI
Dayne Doucet	DOGAMI
Bob Brinkmann	DOGAMI
Alex Lopez	DOGAMI
Becky Johnson	DOGAMI
Ron Doughten	Oregon Department of Environmental Quality (DEQ)
Randy Jones	DEQ
Doug Welch	DEQ
Pat Heinz	DEQ
Laura Gleim	DEQ
Aaron Borisenko	DEQ
Annalisa Bhatia	DEQ
Rick Hill	DEQ
Phil Marcy	Oregon Water Resources Department (OWRD)
Shane James	Oregon State Historic Preservation Office (SHPO)
Alison Uno	Cardno now Stantec
Cameron Curtis	Cardno now Stantec
George Fennemore	Stantec
Victor Ross	Stantec
Walt Martin	Stantec
Rachel Goldman	Paramount Gold
Carlo Buffone	Paramount Gold
Glen Van Treek	Paramount Gold
Christos Theodossiou	Paramount Gold
Heather Bartlett	SLR
Tom Patterson	SLR
Scott Miller	SLR
Wendy Wentz	Mason, Bruce & Girard, Inc.
Tom Segal	Oregon Department of Fish and Wildlife (ODFW)
Joy Vaughn	ODFW
Nigel Seidel	ODFW
Daniel Pike	US Bureau of Land Management (BLM)
Pat Ryan	BLM
Jackie Cupples	US Fish and Wildlife Services (USFWS)

**Attendees (cont.)**

Todd Fuller  
Peggy Lynch  
Eric Evans  
Tom Vialpando  
Pete Danko  
Matt Vaughn  
Karl Wozniak  
Skip Yates  
TM

**Agency or Affiliation (cont.)**

City of Vale  
League of Women Voters of Oregon  
Malheur County  
City of Vale  
Portland business  
No affiliation provided  
No affiliation provided  
No affiliation provided  
Environmental Protection Agency

**Agenda:**

<b>Time</b>	<b>Agenda Topic</b>
10:00 am	Welcome and Introductions
10:15 am	Revisions to the Agenda
10:20 am	Work session on comment categorization, requests for additional information (RAI), and additional resources needed by state agencies
11:10 am	Break
11:20 am	Cardno now Stantec presentation • Reclamation Bonding
11:40 am	Cultural Resource BDR status
11:55 am	Meeting Conclusion and Final Remarks
12:00 pm	A D J O U R N

**Notes:**

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**Introduction**

- Meeting introduction by Alex Lopez, DOGAMI
- Call in details were provided in comments section and notice was given that the meeting was being recorded.
- Public comment will not be taken during this meeting.
- Dayne Doucet, DOGAMI, coordinated introductions of TRT members.

**Agenda**

- Reviewed by committee members; no changes or additions requested.

**Work session on comment categorization, requests for additional information (RAI), and additional resources needed by state agencies**

- DOGAMI – Dayne Doucet presented the following:
  - State agencies reviewed the updated consolidated permit application (CPA) materials provided by the Applicant, and made comments. Agency comments were then provided to the Applicant. The Applicant requested that some comments be re-categorized. On Nov 7<sup>th</sup>, DOGAMI received the list of comments proposed to be re-categorized from the Applicant and distributed these to TRT members. TRT members reviewed the comments to determine if they can be re-categorized. The results of the request are as follows:

Agency	Request to re-categorize	Recategorized to 3 or 4	Considered Resolved
DOGAMI	29	17	0
DEQ	27	2	13
ODFW	32	9	0
OWRD	5	0	0

- There were a number of requests from agencies for technical assistance to address some of the comments. ODFW and OWRD have some comments left to address/re-categorize. Most of OWRD’s comments can be resolved through permit conditions.

**Cardno now Stantec presentation**

- Stantec – George Fennemore gave a presentation regarding mine reclamation and bonding.
  - Typical reclamation and reclamation bonding agreements are addressed under an approved mine plan. An approved mine plan includes an approved reclamation plan, a reclamation cost estimate, required mitigation measures, a contingency cost estimate, and selection of surety instruments. Surety instruments involve bonding by an approved surety company. An approved mine plan also includes risks and requirements in the event that unforeseen events occur.
  - The approved mine plan establishes activities that should be covered by surety bonds, as well as the costs for these.
  - The reclamation plan, as well as the surety bonds included in the approved mine plan, are updated as the mine progresses to account for changes in costs for labor, materials, etc. It is typically updated every 3-5 years to address cost differences. In addition, any authorized changes to mining/the mine plan (such as developing a new access road) would require updating the reclamation plan and surety bonds.
  - Randy Jones, DEQ, asked a question concerning the difference between how state and federal agencies handle surety bonds.
    - State and federal agencies both have regulatory oversight over the proposed mine. State agencies (e.g., DEQ) typically oversee air and waters of the state. Federal agencies (e.g., BLM) typically oversee land restoration and reclamation. State and federal agencies have input into the approved mine plan, the associated reclamation plan, and the surety bonds to address resources under their purview.
  - Randy Jones, DEQ, asked a question concerning how changes in technology affect surety bonds.
    - Changes in technology (e.g., water treatment options, reclamation seed banks) can trigger required updates to the approved mine plan and associated reclamation plan and surety bonds.
  - Ron Doughten, DEQ, asked a question concerning how unplanned events are built into a surety instrument.

- Unplanned events, such as failures of treatment systems, are addressed through mitigation and monitoring plans that incorporate known effects and uncertainty. Not only do agencies review the results of such monitoring, but there are pre-determined contingency plans in place to address failures, along with costs to mitigate negative effects.
- Reclamation cost estimates, per the Standard Reclamation Cost Estimator (SCRE) system, use standardization for materials, vehicles, fuel, labor, etc. Volumes of materials, labor hours, and so on, are set for each activity, and unit rates for these items are set each year. This standardization can help agencies determine costs of reclamation bond estimates. Changes in unit rates or activities can easily be altered to update reclamation cost estimates.
- The establishment of unplanned circumstances involves agency input and are project-specific. Each mine site has different resources to address, so each mine plan is different.
- Voluntary long-term contingency planning can be used to address mine failures that could occur far into the future (e.g., failure of water treatment post-reclamation). Long-term contingency funds are generally cash based and put into a trust with the regulatory agency as the beneficiary.

## **Break**

### **Cultural Resource BDR status**

- SHPO – Shane James discussed the Cultural Resources Baseline Data Report, as detailed in a letter dated November 29, 2022.
  - The submitted surveys adequately identify the number of cultural resources.
  - Approximately 60 sites remain unevaluated and may be eligible for inclusion in the National Register of Historic Places (NRHP). SHPO recommends that further work be done to determine the eligibility and significance of these resources.
  - The Cultural Resources Baseline Data Report does not assess the effects of mining to cultural resources as required in the current version of the approved work plan.
  - At a federal level, the cultural resources effects analysis will be addressed in the Environmental Impact Statement (EIS) that is required after the completeness determination of the Federal Plan of Operations.
  - DOGAMI and the BLM have an agreement to coordinate the state and federal processes to the maximum extent possible. It would be in line with federal requirements for the state to require the analysis of effects as part of the Environmental Evaluation, rather than prior to completeness determination.
  - DOGAMI agreed to explore options for the Applicant and the TRT to move the Cultural Resources Baseline Data Report forward, including:
    - Require the Applicant to do the work now;
    - Submit a statement to SHPO explaining the work will be done as part of the EIS; or
    - Modify the Cultural Resources Baseline Data Work Plan.

### **Final Remarks**

- Dayne thanked the meeting participants for attending the meeting and for the TRT's time and preparation.
- DOGAMI will be preparing notes, and the meeting summary and recording are to be posted on the project website.
- The next TRT meeting will be scheduled for early next year. TRT members and the public will be notified.
- The meeting adjourned at 11:26 am.