

DIVISION 37 CONSOLIDATED PERMITTING PROCESS

What Agencies Need To Do When an Application Is Filed

OVERALL GOALS

Oregon's Consolidated Mining Permit Process

- Ensure coordination between state agencies , federal agencies, and local governments
- Consolidate baseline data requirements for needed State permits
- Provide for single comprehensive environmental analysis and socioeconomic study
- Provide a clear path for application processing including required opportunities for public input
 - *Efficient schedule with specified deadlines*
- Designate a single lead agency to provide coordination, accountability ,and to mediate disagreements between agencies
- Provide certain and limited permit requirements for applicant
- Ensure Environmental Standards are met



Environmental Performance Standards

- Minimize environmental damage through use of best available, practicable, and necessary technology
- Fish and Wildlife protections
 - *Objective of zero wildlife mortality*
 - *All chemical processing solutions and associated wastewater shall be covered or contained*
 - *No overall net loss of habitat value*
 - *No loss of existing critical habitat for state or federal listed threatened or endangered species*
 - *Mortality reporting*



Environmental Performance Standards

- Reclamation
 - *Ensure protection of human health and safety*
 - *Also livestock, fish, and wildlife*
 - *Ensure environmental protection*
 - *Require certification to ODFW and DOA*
 - *Self-sustaining ecosystem comparable to undamaged ecosystems in the area*
 - *Include backfilling or partial backfilling on a case-by-case basis*



KEY ROLES

Agencies

Lead Facilitating Agency

Provides coordination, accountability, and mediates any disagreements between agencies

- DOGAMI

Permitting Agencies

Issue permits

- DOGAMI
- DEQ
- Water Resources Department
- Department of State Lands – pending
- Malheur County
 - *Land Use / Waste Treatment Facility*

Cooperating Agencies

Achieve compliance with state standards or policies via permit conditions to DOGAMI permit

- Department of Fish and Wildlife
- State Historic Preservation Office
- Department of Agriculture

DOGAMI/TRT Contractors: Barney & Worth (Permit coordination) | **Cardno** (Complete Environmental Evaluation & Socio-Economic Analysis; verify Baseline data; technical issues) | **Integral** (Geochemistry)



Coordinating and Technical Groups

Project Coordinating Committee (PCC)

- Share information
- Coordinate permitting requirements
- Avoid contradictory requirements and duplication of effort

Technical Review Team (TRT)

- Establishes baseline data methodologies
- Coordinates use of methodologies
- Consults on data needed for other permits
- Verifies baseline data as accurate
- Determines if application is complete
- Resolves contradictory permit conditions
- Identifies best available, practicable and necessary technology to meet Oregon standards



ROLES: CALICO RESOURCES USA CORP - GRASSY MOUNTAIN

OREGON DEPT OF JUSTICE
Advises on the process
Diane Lloyd

OREGON DEPT OF GEOLOGY & MINERAL INDUSTRIES
Oversees coordination of the process
Ian Madin Randy Jones
Bob Brinkmann Bob Houston

PROJECT CONSULTANTS
Barney & Worth Janet Gillaspie
Cardno Adam Bonin

PROJECT COORDINATING COMMITTEE (PCC)
Coordinates county, state, and federal permitting requirements to avoid contradiction and duplication

- Oregon Dept of Geology & Mineral Industries (DOGAMI)
- Oregon Dept of Environmental Quality (DEQ)
- Oregon Water Resources Dept (WRD)
- Oregon Dept of State Lands (DSL)
- Oregon Dept of Fish & Wildlife (ODFW)
- Oregon Dept of Agriculture (ODA)
- Oregon State Historic Preservation Office (SHPO)
- Oregon Dept of Land & Conservation Development (DLCD)
- City of Vale ● Malheur County ● City of Nyssa
- United States Bureau of Land Management (BLM)
- United States Environmental Protection Agency (EPA)
- United States Mine Safety & Health Administration (MSHA)
- United States Fish & Wildlife Service (USFWS)
- Tribal Nations – Burns Paiute Tribe

TECHNICAL REVIEW TEAM (TRT)
Establishes guidelines and coordinates with applicant in use of baseline data collection methodologies; determines compliance of proposed mining operation with requirements

DOGAMI DEQ* WRD
DSL ODFW
ODA SHPO DLCD
BLM

*Includes Water Quality (WQ), Air Quality (AQ), Solid Waste (SW) and Laboratory (LAB) Programs



PROJECT COORDINATING COMMITTEE: CALICO RESOURCES USA CORP - GRASSY MOUNTAIN

State Agencies (Alternate)

DOGAMI
Randy Jones
(Ian Madin)

DEQ
TBD
(Bill Mason)

WRD
Justin Iverson
(Phil Marcy)

DSL
Kirk Jarvie

ODFW
Trevor Watson
(Tom Segal)

ODA
Jim Johnson

SHPO
Matt Diederich

DLCD
Jim Rue
(Jon Jinings)

Local Agencies (Alternate)

City of Vale
Lynn Findley

Malheur County
Judge Dan Joyce
(Alvin Scott)

City of Nyssa
Harry Flock
(Roberta Vanderwall)

Tribal Nations

Burns Paiute Tribe
Diane Teeman

Federal Agencies (Alternate)

BLM
Jonathan Westfall
(Andrea Bowen)

EPA
Lynne Hood
(Patty McGrath)

MSHA
Ronald Jacobsen

USFWS
Gary Miller



TECHNICAL REVIEW TEAM: CALICO RESOURCES USA CORP - GRASSY MOUNTAIN

State Agencies (Alternate)

DOGAMI
Randy Jones
(Bob
Brinkmann)

DEQ
TBD
(Bill Mason)

WRD
Phil Marcy
(Joe Kemper)

DSL
Kirk Jarvie
(Bethany
Harrington)

ODFW
Tom Segal
(Phil Milburn)

ODA
Jim
Johnson

SHPO
Matt
Diederich

DLCD
Jim Rue
(Jon Jinings)



DEQ – WQ
(Jim Billings)
(John Dadoly)
(Phil Richerson)

DEQ – AQ
Doug Welch
(Mark Bailey)

DEQ – LAB
Lori Pillsbury

DEQ – SW
Ken Lucas
(Bill Mason)

Federal Agencies (Alternate)

BLM (Ex-Officio)
Jonathan Westfall
(Andrea Bowen)



Required Elements

Consolidated Application must include:

- General Information
- Existing Environment – Baseline Data
- Operating Plan
- Reclamation and Closure Plan
- Alternatives Analysis
- **Additional requested information:**
 - *All information required by permitting agencies to determine whether or how to issue permits*
 - *All other information required by the Department, a permitting agency, a cooperating agency, or the Technical Review Team*



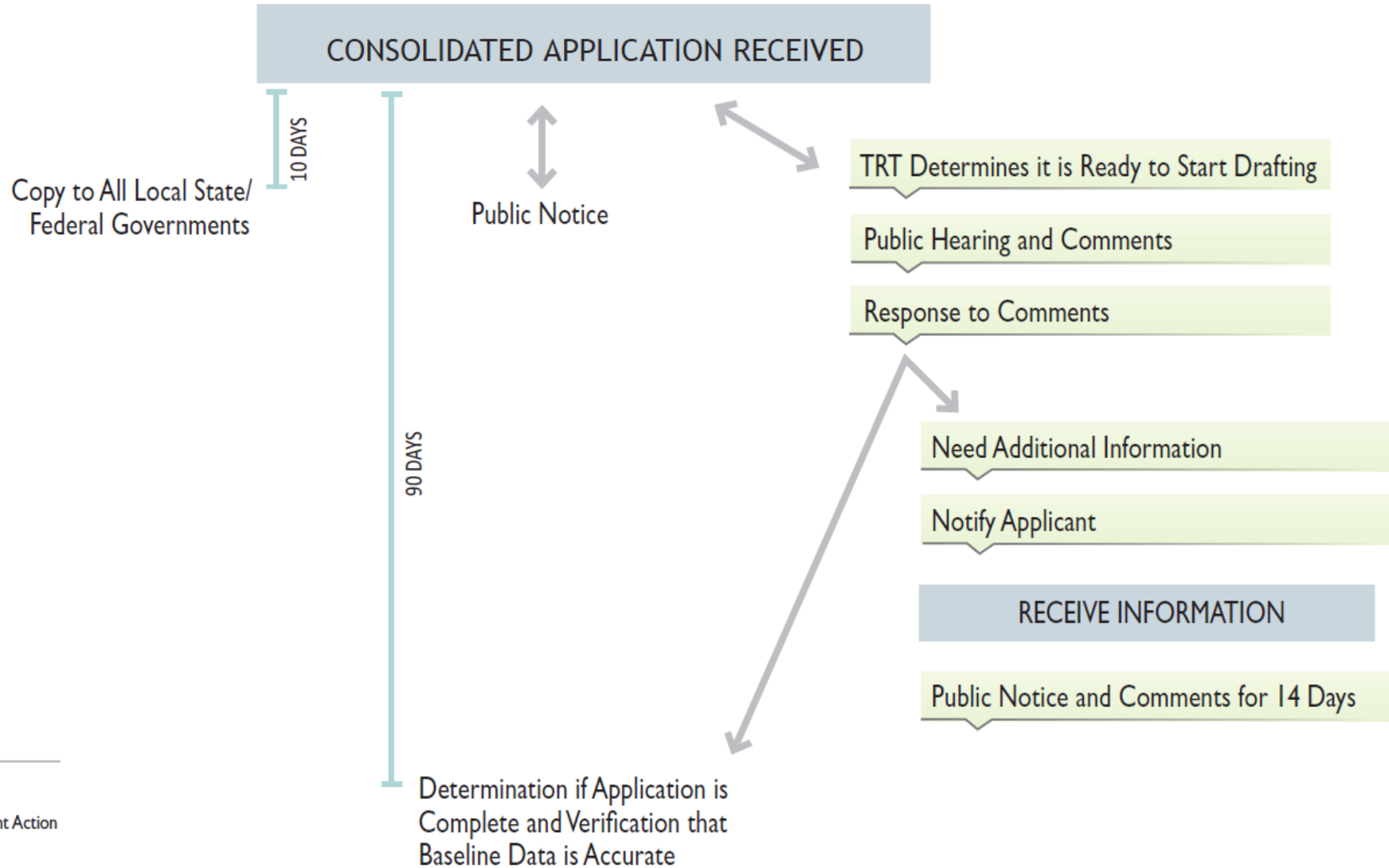
THE CONSOLIDATED APPLICATION

Major Steps in the Process

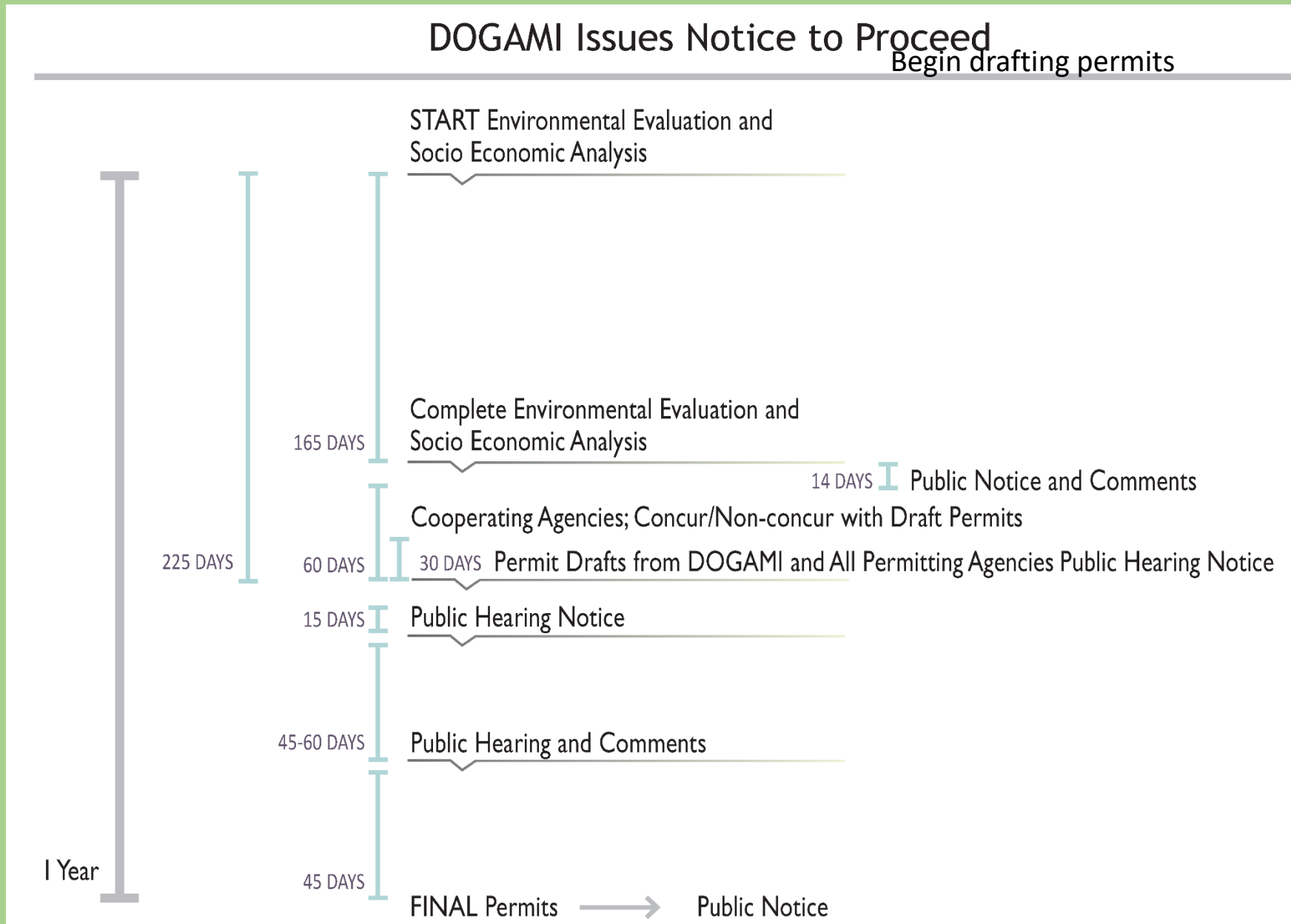


Key steps and timelines

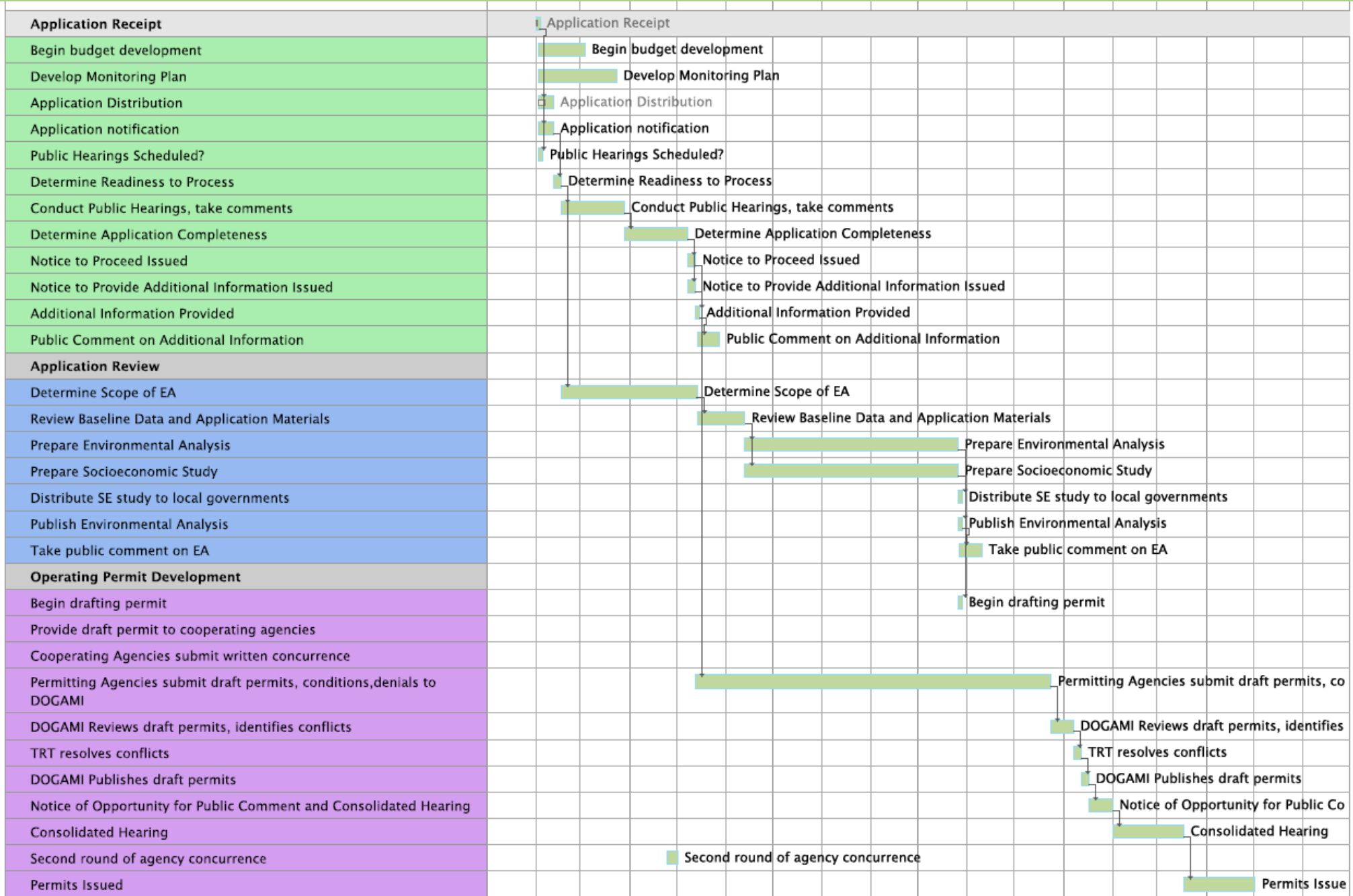
Baseline Data Completed



Key steps and timelines



Comprehensive Process Chart



CONSIDERATIONS

Preparation of Draft Permits

- Draft permits must be complete 225 days after the 'Notice to Proceed'
- Draft permits cannot be issued sooner than 60 days after completion of the Environmental Evaluation (E/E) & Socio-Economic Analysis
- If the E/E preparation starts when the NTP is issued , that leaves 165 days to complete the Environmental Evaluation
- Permitting and cooperating agencies must submit draft permit conditions for the DOGAMI permit and written concurrence or non-concurrence at least 195 days after the NTP
- ***Leaving...only 30 days for DOGAMI to draft its permit, provide the draft to permitting and cooperating agencies, and get their concurrence...***



Preparation of Draft Permits

- *Issues and thoughts...*
 - We will need to have the E/E complete well before 165 days after the NTP
 - We will need to start drafting the E/E during the application completeness review
 - DOGAMI will need to start drafting its permits as soon as the NTP is issued
 - Permitting agencies should also begin drafting permits as soon as the NTP is issued
 - We need to establish a realistic target date for DOGAMI and other agencies to complete the draft permits



KEY POINTS

For Permitting Agencies

Now:

- Identify all necessary State permits and additional information needed in the Consolidated Application

When the Consolidated Application is Received:

- Determine readiness to proceed
- Public notice and involvement
- Verify the baseline data is complete and accurate
- Determine if the Consolidated Application is complete and agencies are ready to begin drafting permits

After the 'Notice to Proceed' (NTP) is Issued:

- Prepare draft agency permits and provide to DOGAMI
 - 225 days after NTP
- Revise permits as needed to resolve conflicts
 - Technical Review Team function
- Public notice and involvement
- Final permit action
 - Public notice



For Cooperating Agencies

Now:

- Identify all information needed in the Consolidated Application

When the Consolidated Application is Received:

- Determine readiness to proceed
- Public Notice and involvement
- Verify the baseline data is complete and accurate
- Determine if the Consolidated Application is complete and agencies have the information they need to draft permit conditions

After the 'Notice to Proceed' (NTP) is Issued:

- Provide permit conditions to DOGAMI
 - 30 days before draft permit deadline/195 days after NTP
- Review draft DOGAMI permit and provide concurrence/non-concurrence
 - 30 days before draft permit deadline/195 days after NTP
- Revise permit conditions as needed to resolve conflicts
 - Technical Review Team function
- Public notice and involvement
- Final permit action
 - Public notice



KEY POINTS

For the Project Coordinating Committee

Now:

- Begin scoping Environmental Evaluation and Socio Economic Analysis (in concert with TRT)

When the Consolidated Application is Received:

- Provide coordination/information between federal/state/local agencies

After the 'Notice to Proceed' (NTP) is Issued:

- Work with DOGAMI contractor on Environmental Evaluation and Socio-Economic Analysis
- Continue to coordinate and share information between federal/state/local agencies



For the Technical Review Team

Now:

- Review and accept baseline data as congruent with approved methodologies
- Identify all necessary permits & additional information needed in the Consolidated Application
- Begin scoping Environmental Evaluation and Socio-Economic Analysis (with PCC)

When the Consolidated Application is Received:

- Determine if State is “Ready to Proceed”
- Verify the baseline data is complete and accurate
- Determine whether Consolidated Application is complete and baseline data is accurate

When the ‘Notice to Proceed’ (NTP) is Issued:

- Draft all necessary permits
- Draft all necessary additional conditions for DOGAMI Operating Permit
- Determine whether proposed mining operation complies with statutory standards
- Resolve conflicts between permits



Current Issues to Consider and Resolve

- What “*other information required by the department, a permitting agency, a cooperating agency or the Technical Review Team*” will we ask for?
- How will we monitor the project for compliance once permitted?
- How will we fund that monitoring?
- What steps can we take to avoid a finding of an incomplete application?
- How soon can we start drafting the Environmental Evaluation and Socio-Economic Analysis? How soon can agencies start writing permits?
- How do we identify and engage commenting agencies?
- Do we need to convene PCC?

