

GOVERNING BOARD MEETING
OREGON DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES

December 9, 2019

8:00 a.m.

Portland, OR

Public Meeting Agenda

The Board makes every attempt to hold strictly to the sequence of the distributed agenda. Times and topics may change up to the last minute. This agenda is available on the DOGAMI website: www.oregongeology.org.

- 8:00 a.m. Item 1: Call to Order** – Chair Laura Maffei
- 8:05 a.m. Item 2: Introductions** – Chair Laura Maffei and staff
- 8:10 a.m. Item 3: Review Minutes of September 9, 2019**
Board Action: The Board will be asked to take an action on this item
- 8:15 a.m. Item 4: Approval of Annual Director’s Evaluation Written Document** – Chair Laura Maffei
Board Action: The Board will be asked to take an action on this item
- 8:20 a.m. Item 5: Confirm Time and Date for Next Meeting**
Board Action: The board may be asked to take an action on this item
- 8:25 a.m. Item 6: Rule Writing** – Bob Houston, Interim Legislative Coordinator
Board Action: The Board will be asked to take an action on this item
- 8:45 a.m. Item 7: Civil Penalties** – Sarah Lewis, MLRR Program Manager
Board Action: The Board will be asked to take an action on this item
- 8:55 a.m. Item 8: Financial Report** – Dania Ballard, Chief Financial Officer
Board Action: The board will be asked to take an action on this item
- 9:55 a.m. Break**
- 10:10 a.m. Item 9: Public Comment**
Three minutes limit per person unless otherwise specified at the meeting by the Chair
- 10:20 a.m. Item 10: MLRR Update** – Sarah Lewis, MLRR Program Manager
Briefing: The board will not be asked to take an action on this item
- 10:35 a.m. Item 11: Grassy Mountain Update** – Sarah Lewis, MLRR Program Manager
Briefing: The board will not be asked to take an action on this item

- 10:50 a.m. Item 12: GS&S Update** – Bill Burns, Natural Hazards & GIS Supervisor
Briefing: The board will not be asked to take an action on this item
- 11:05 a.m. Item 13: Director’s Report** – Brad Avy, Director
Briefing: The board will not be asked to take an action on this item
- 11:25 a.m. Item 14: Public Comment**
Three minutes limit per person unless otherwise specified at the meeting by the Chair
- 11:35 a.m. Item 15 Board Adjourn**

PLEASE NOTE

AGENDA

The Board meeting will begin at 8:00 am, and proceed chronologically through the agenda.

PUBLIC TESTIMONY

If you wish to give testimony on any item scheduled on this agenda, please sign up on the sheets provided on the day of the meeting and you will be called to testify by the Board Chair. The Board places great value on information received from the public. Persons desiring to testify or otherwise present information to the Board are encouraged to:

1. Provide written summaries of information to the Board (6 sets);
2. Limit testimony to 3 minutes, recognizing that substance, not length, determines the value of testimony or written information;
3. Endorse rather than repeat testimony of other witnesses; and
4. Designate one spokesperson whenever possible when groups or organizations wish to testify.

THANK YOU FOR TAKING TIME TO PRESENT YOUR VIEWS

If you bring written materials to the meeting, please provide six (6) copies. If you have questions regarding this agenda, please contact Lori Calarruda at (971) 673-1537 or you may email her at lori.calarruda@oregon.gov

REASONABLE ACCOMMODATION OF DISABILITIES

Reasonable accommodation, such as assisted hearing devices, sign language interpreters, and materials in large print or audiotape, will be provided as requested. In order to ensure availability, please contact the Director's Office at (971) 673-1555 at least 72 hours prior to the meeting to make your request.

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Lori Calarruda, Executive Assistant

Date: December 2, 2019

Regarding: Agenda Item 3 – Review Minutes of September 9, 2019

Attached are draft Board Minutes from September 9, 2019.

Proposed Board Action: The Board Minutes of September 9, 2019 be Approved/Approved as amended/Not Approved.

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

Tuesday, September 9, 2019

8:30 a.m.

Portland, Oregon

1) Call to Order:

Chair Maffei called the meeting to order at 8:42 a.m.

2) Executive Session: – Annual Director Review

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

3) Return to Public Session:

Chair Maffei reconvened the regular public session at 10:40 a.m. following the Director’s evaluation.

4) Introductions:

Chair Laura Maffei, Vice-Chair Katie Jeremiah, and Board Members Diane Teeman, Linda Kozlowski, and Scott Ashford (via phone) were in attendance.

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

Brad Avy, Director/State Geologist
Lori Calarruda, Recording Secretary/Executive Assistant
Dania Ballard, Chief Financial Officer (CFO)
Bob Houston, Interim Legislative Coordinator
Sarah Lewis, MLRR Program Manager
Vaughn Balzer, Floodplain Mining Reclamationist
Christina Appleby, Acting GIS & Remote Sensing Supervisor
Bill Burns, Acting Earth Science Supervisor
Laura Gabel, Natural Hazards Supervisor
Jack Kenny, Operations and Policy Analyst

Others in attendance:

Sherry Carter, DAS Human Resources (HR)
Diane Lloyd, Department of Justice (DOJ)
John Terpening, Legislative Fiscal Office (LFO)
Alison Webb, DAS Office of the Chief Financial Officer
John McKesson, Public – Emeritus of Clatsop Soil & Water

1 5) Annual Director’s Evaluation:

2 Chair Maffei stated the Board conducted the Annual Director’s Evaluation/Review. An Anonymous
3 survey was sent out for feedback and the Board reviewed those results with Director Avy. Maffei
4 said Director Avy has strong support from the Board. They appreciate what he has done in the last
5 year and a half, but there are areas that can be improved.

6
7 Chair Maffei said based on input from staff, communication within the Agency can be better. It is
8 good with the management but not to the staff. The Board wants the staff to feel included.
9 Director Avy will send out frequent/regular updates. This also includes/involves the satellite offices
10 and ensuring they feel included in the Director's decisions and guidance.

11
12 The Board expects the Director to develop an internal communication plan on how things will be
13 communicated.

14
15 The Board believes it is critical that Director Avy hire someone permanently for the GS&S Program
16 Manager position. Not having someone in that position hinders his ability to lead the Agency
17 effectively and efficiently. It is expected that the Agency will have a recruitment started by the next
18 Board meeting in December based on funding availability.

19
20 Chair Maffei entertained a motion to adopt the Board's Annual Director's Review/Evaluation as
21 discussed in Executive Session.

22
23 Board Action: **Kozlowski moved to accept the Annual Director's Review/Evaluation. Jeremiah**
24 **seconded. Motion carried.**

25
26 **6) Review Minutes of July 9, 2019 and August 1, 2019:**

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

28
29 Board Action: **Kozlowski moved to approve the minutes of July 9, 2019 as submitted. Jeremiah**
30 **seconded. Motion carried.**

31
32 Board Action: **Jeremiah moved to approve the minutes of August 1, 2019 as submitted. Kozlowski**
33 **seconded. Teeman abstained. Motion carried.**

34
35 **7) Financial Report:**

36 Dania Ballard, Chief Financial Officer, presented the budget status report as of June 30, 2019.

37
38 Ballard discussed the Board Governance and Expectations of the Board in terms of the requirements
39 for reviewing key financial information and making decisions, which are connected to the Key
40 Performance Measures (KPMs). This meeting's focus is on appropriately accounting for resources
41 and ensuring the Agency is following rules and other financial controls that are in place.

42
43 Ballard stated the fiscal year ended on June 30, 2019. There is a serious cleanup of the financials
44 taking place; the Agency is still trying to get payables done because they could not be paid until the
45 additional budget was approved and had the money available. The FY19 financial report in the Board
46 Packet is not the absolute numbers as it still includes estimates, and due to audit requirements, they
47 will not be finalized until December.

48
49 Ballard said July 2019 has closed but the financials have not been completed due to the workload for
50 year-end close. She expects to have the most current FY20 financial information at the next Board
51 meeting in December. The Agency also anticipates having more staff in the Business Office at that
52 time.

53
54 The financial reporting for the GS&S program, as of June 30, 2019, shows an ending balance of
55 \$184,000 which is not a correct statement because it still being cleaned up and should be zeroed out.
56 This money is part of the additional \$650,000 request.

57
58 MLRR is expected to have an ending balance of \$589,000 for the June 30, 2019 close. This amount
59 could still be adjusted because it includes the expected revenue from Calico that has not yet been
60 received.

61
62 Ballard said the Strong Motion Instrument Fund is expecting an ending balance of \$274,276, with
63 expenditures of about \$375,000 that had been paid out and used primarily by the University of
64 Oregon for Shake Alert. Ballard briefly explained how the money is collected and spent. She stated
65 every time a building is constructed, it is required to have a strong motion instrument installed in it,
66 but the builders do have the option of getting estimates for that cost and then submitting the
67 amount to the fund, which the money is then used to place instruments in other buildings to collect
68 data. Houston added that the sites, if not located in a particular building, are based off where gaps in
69 the collecting array are throughout the State.

70
71 Ballard stated the Reclamation Guarantee Fund has 58 cash securities for a total balance of \$628,942.
72 Lewis explained that the cash securities on hand are for reclamation purposes of sites. During the
73 permitting process for all mining sites, including oil, gas and geothermal wells, a bond or security is
74 required to be submitted with the permit. Most are done as securities held through banks but MLRR
75 does accept cash securities for sites, this fund and amount represents what is on hand; this means 58
76 sites out of 900 permits have cash securities.

77
78 Ballard said the Financial Report has more details and typically she would go through each category
79 and discuss the variance items, but since it is year-end close, there is still clean-up being completed.
80 Kozlowski said she appreciated how Ballard presented the information.

81
82 Ballard discussed what has been happening with the Agency and what will be done going forward.
83 She said the Business Office is trying to get out from under a heavy rock and move forward. All the
84 outstanding grant financial reporting is up-to-date and current thanks to Jack Kenny. What is does
85 not mean, there are still grants reflecting being overspent. There is still cleanup of moving the
86 overspent money into General Fund. Kozlowski asked if the practice of moving overspent money into
87 General Fund will continue. Ballard said the goal is to not overspend in the future.

88
89 Ballard handed out a list of the current overspent grants totaling \$375,136.39. She said in her
90 narrative that it is \$405,183 but that was incorrect because there were some grants that should not
91 have been on the list. There are two new grants that are in overspent status; they are multiple years.
92 For the 2014 CTP grant, it was decided to move forward with minimal work to complete it. They are
93 still determining what happened with the DAS GEO grant(s).

94
95 The Agency is trying to get an overall perspective of open grants for all the grants in overbudget
96 status. Some grants are still showing as active but may actually be completed as far as work being
97 done; that is being cleaned up. Kozlowski asked what the status is on the overspent budgets. Ballard
98 answered these grants were the ones overspent and the \$650,000 request was to close them out
99 with no work is being done. Kenny explained these grants were charged to Federal Funds and the
100 \$650,000 is to clean up the negative amount. There are some grants that have already had General

101 Fund charged to them. Some of the grants had Other Funds used to cover them, which then reduced
102 the Other Funds cash balance. These grants will not be seen in the future once they are closed
103 properly. Kozlowski asked what the controls are internally to make sure this does not happen again.
104 Ballard said they will be getting tools to catch it ahead of time.

105
106 Ballard stated the recruitments for the Grant Accountant, an Accountant 3 level, and the Contract
107 and Procurement Specialist 2 positions, went live on September 3rd and will close on September
108 24th. The Fiscal Analyst 3 position is a rotation position because Alyssa Pratt is currently on a
109 rotation in another agency, so it will need to be done differently.

110
111 Ballard discussed the tools they are building that will help the team build the capacity required to
112 work with project managers to help them stay on budget. Kozlowski asked when a budget is done for
113 a grant, does it anticipate when funds are going to be expended. Ballard answered not at this time,
114 but explained they are building tools that will address that question by looking at projections on a
115 monthly basis, also regular draws need to be done consistently to support the spending being done.

116
117 Ballard said they have created a grant application budget allocation tool to anticipate all the costs
118 that could be related to a project. The Agency never really took leave into consideration on projects,
119 but it is in place now.

120
121 Ballard said she left the key word projections out of the grant budget monitoring tool description. It
122 is a tool, with the help of DAS, that looks at each grant on a monthly basis. It identifies all of the
123 labor hours related to the project on a monthly basis going forward as projections, the other
124 expenses, and will also track backwards what happened to reallocate as necessary, but it is still in
125 process. They will know what monthly expenses there are on a monthly basis, project what revenue
126 should be on a monthly basis, and use as a staff placement tool because it will track each person.
127 This will also help them determine what type of expertise is needed for projects. Kozlowski asked if
128 the type of staff will help determine the types of grants they go after or do not go after. Ballard
129 answered potentially yes and that it will help guide the Agency's business decisions on what kind of
130 work to go after based on staff's skills and availability.

131
132 The grant financial reporting is helping them understand what is needed for the project managers.
133 This tool lays out all the financial aspects of the grants. It will help the grant accountant to determine
134 the indirect expenses and the direct expenses for project managers. They are getting into the gritty
135 details of expenses and the changes are helping them get there.

136
137 The team is creating a general fund allocation grant funding mix report. This will help the leadership
138 team make decisions on grants, including match requirements.

139
140 Kozlowski said good work and the narrative really helps them focus on what the Board should be
141 looking at. Maffei asked what is the projection of when all the reporting tools will be done. Ballard
142 answered the grant application tool is done and being used, but she also expects the tools to evolve
143 as needs change. By next meeting they should have most of them done.

144
145 Director Avy asked Ballard to speak to the day-to-day and being overwhelmed. Ballard said she is
146 overwhelmed on the day-to-day and they only have one year to demonstrate they can make year
147 two work. They are making it happen and it is doable. There is still such a heavy workload on trying
148 to get year end completed. June 30th is still a priority over July 30th. Maffei asked how many hours

149 Kenny works per week. He replied 25-30 hours per week. Ballard said Opal Bontrager at DAS, has
150 been a big part of getting things caught up. Capacity is an issue at this point. Kozlowski told them to
151 hang on.

152
153 Jeremiah asked to clarify the Board members are only accepting the report and not the budget.
154 Maffei said yes, only the report.

155
156 Board Action: **Jeremiah moved to accept the Budget Status Report as presented. Kozlowski**
157 **seconded. Motion carried.**

158
159 **8) Key Performance Measures (KPMs) Annual Data Report:**

160 Bob Houston, Interim Legislative Coordinator, reviewed completed Key Performance Measures
161 (KPMs) 1) Hazard and Risk Assessment Completion, 2) Detailed Geologic Map Completion, 5)
162 Customer Services, and 6) Governance. KPMs 3 and 4 were presented and approved at the last Board
163 meeting. The Key Performance Measures (KPMs) show how the Agency has performed and will be
164 submitted by DOGAMI.

165
166 **KPM 1 – Hazards and Risk Assessment Completion:**

167 Hazard and risk assessments for Urban Growth Boundaries (UGBs) to map earthquake, landslide,
168 tsunami, coastal erosion, volcanic or flooding hazards had a 42% baseline. The goal for the future is
169 to complete 100% in the next ten (10) years.

170
171 Houston stated the actual percentage completed for 2019 is 45.79%, which is 97% of the target of
172 47% coverage.

173
174 Maffei asked how the Agency can get the 1.21% to make the 100%. Houston explained through
175 grants that overlap those areas. Maffei asked if part of the KPM is out of the Agency's control.
176 Houston answered yes.

177
178 Houston said they are projecting to increase the target goal 5% every year.

179
180
181 **KPM 2 – Detailed Geologic Map Completion:**

182 Percentage of Oregon where geologic data in the form of high resolution maps have been completed
183 to be used for local problem solving.

184
185 Geologic mapping is dependent on local, state and federal resources for funding the projects. The
186 lavender areas are the ones that have been completed. Based on data collected in 2019, 62.6% of
187 Oregon's nominal inhabited areas have been completed, which represents 99% of the target goal of
188 63% completed for 2019.

189
190
191 **KPM 5 – Customer Service:**

192 Percentage of customers rating their satisfaction with the agency's customer service as "good" or
193 "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise, and availability of
194 information.

195

196 Houston said there are two different customer surveys – overall DOGAMI and MLRR specific. During
197 fiscal year 2019, DOGAMI received 198 customer responses, which is a significant increase over last
198 year, in which the Agency received 13 surveys. Kozlowski asked how many of the surveys handed out
199 does the Agency receive back. Houston said he did not know at this time.

200
201 The target goal of the KPM is 95% of responses as good or excellent for each category. From the
202 results, the Agency made significant improvements across all categories.

203
204 Helpfulness: 92%, which 97% of the target goal
205 Overall: 91%, which 95% of the target goal
206 Accuracy: 93%, which 98% of the target goal
207 Expertise: 95%, which 100% of the target goal
208 Availability of Information: 86%, which 91% of the target goal
209 Timeliness: 89%, which 94% of the target goal

210
211
212 **KPM 6 – Governance:**

213 For Governance, on an annual basis the Board reviews and responds affirmatively or negatively to the
214 best practice criteria. The Board went through and responded to the list of fifteen (15) required
215 questions; the answers will be submitted through the formal process.

216
217 Avy commented that when the Board assessed this previously after the last financial challenge, the
218 Board imposed a reduction on the one measure and did not know if it was appropriate here or not.

219
220 Chair Maffei said that was fair for 2015, but she feels like the Board members were taking the
221 information they received and doing what they could to assess it and make sure the Agency was
222 meeting its budget obligations. The Board can only do the best they can with the information they
223 have. She is fine with marking the Board down if they must.

224
225 Avy said he was not suggesting that direction. Chair Maffei has described the Board having met its
226 responsibilities.

227
228 Jeremiah said she felt the minutes from the last meeting reflect that the Board felt that they asked all
229 the right questions and in hindsight do not think they could have asked different questions, they
230 were just misinformed. She asked if there is any perception that the Board should have done
231 something differently. Houston answered he had not heard that mentioned at all.

232
233 Kozlowski agreed, she thinks at the last Board meeting they asked significant questions. She believes
234 now it makes her look more carefully at the finances and at the person giving the information and
235 their credibility. John Terpening said he did not believe the Board could have done something
236 differently and has not heard that the Board was not taking appropriate action.

237
238 Ashford stated he thought they asked the right questions but were not given the proper information.

239
240 Board Action: **Teeman moved to approve completed Key Performance Measures (KPMs) 1, 2, 5 and**
241 **6 of the Annual Progress Performance Report as presented. Jeremiah seconded. Motion carried.**

242
243 Note: The full KPM report will be included in the next Board Packet.

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9) Public Comment:

Chair Maffei asked for public comment.

Comment of McKesson: McKesson stated he is speaking on behalf of Debbie Boone to say hello to the Board members. He agreed the Agency is going through difficult times. He said he had been trying to find maps for the blind, but has been unable to get them, even from the Commission for the Blind. On behalf of Bonnie and Gary Brown, he stated the dreams of diversity are fulfilled by this Board. He noted that Clatsop County is doing its first every periodic review of its first comprehensive plan.

Break

10) Working Lunch - Rule Writing:

Bob Houston, Rules Coordinator, discussed three separate rule writing requests.

Request 1 – Approval of Service Fees Draft Rule Language

Background: The Oregon Department of Administrative Services has updated the Statewide Policy on Public Records Request Fees and Charges (107-001-030).

This Policy is intended to support:

- Statewide consistency by establishing standards for state agency policies relating to the charging practices and policies for fulfilling requests for public records; and
- Provides a standard process for state agency use when evaluating requests to reduce or waive fees assessed for fulfilling a request.

Previously the Board authorized the Department to initiate rulemaking to amend OAR 632-001-0010 to comply with the Statewide policy on Public Records Request fees and charges.

Houston stated the proposed draft amendments to OAR 632-001-0010 has been reviewed by DOJ.

Proposed Rule Language:

632-001-0010

Service Fees

- (1) When determining fees associated with the processing of requests for public records, the department will follow the statewide standardized fee-structure policy number 107-001-030 maintained by the Department of Administrative Services and adopted on Feb. 15, 2017.
- (2) All Fees and charges must be paid before public records will be made available for inspection or copies provided.

289
290 Staff Recommendation: Staff recommends approval of the proposed draft amendments to OAR 632-
291 001-0010.

292
293 Board Action: **Kozlowski moved to approve the proposed draft amendments to OAR 632-001-0010**
294 **– Service Fees. Teeman seconded. Motion carried.**

295
296
297 **Request 2 – Initiate Formal Rulemaking**

298
299 **HB 2202: High Value Soils**

300
301 Background: In the 2013 regular session the legislature passed HB2202 involving aggregate mining on
302 high value farm land in the Willamette Valley (ORS 517.825). The legislative intent was to make sure
303 operators mined deep enough to remove all the aggregate and thereby limit areal impacts on high
304 value soils. DOGAMI’s Governing Board authorized rule writing in Spring 2014 and DOGAMI worked
305 to put together a Rules Advisory Committee (RAC) including representatives of the mining
306 community, Farm Bureau, OCAPA, Department of Agriculture, DOGAMI, Department of Justice and
307 ODOT in the fall of 2014. Unfortunately, that committee was unable to meet prior to the retirement
308 of former Assistant Director in January 2015.

309
310 After implementation of HB2202 on January 1, 2014, the DOGAMI MLRR program worked with the
311 Department of Justice to develop draft rules and procedures that address the requirements of this
312 statute and implement appropriate permit conditions.

313
314 In order to comply with statute, the Agency will need to implement rule making. It is important to
315 note that DOGAMI has received several inquiries going back to June of 2014 regarding the status of
316 rule writing on this legislation.

317
318
319 Lewis stated the MLRR program is a regulatory program in which most of the requirements are either
320 written in statute or determined in rule approved by the Board. To ensure their rules are staying in
321 line with their practices used for permitting, she plans to bring rules to the Board in the future on a
322 more consistent basis.

323
324 Lewis summarized the request for High Value Soils rulemaking is to ensure all the gravel is removed
325 when mining high value farmland. This is the most outstanding item of the program’s rulemaking
326 related to legislation, and draft rules have been developed. The staff have related procedures they
327 use and have implemented them with several permits, and they know how it is perceived by the
328 mining community. The program is asking to initiate rulemaking again so they can finalize the
329 procedures going forward.

330
331 Lewis introduced Vaughn Balzer, MLRR’s Floodplain Mining Reclamationist, who has been with the
332 Agency since 2009. Balzer gave an example of how the permits work. Typically, if a mine site is
333 proposed on exclusive farm use or EFU zoning, per county land use laws, they have to get approval to
334 mine that deposit; there has to be a specific amount/volume of aggregate and it must be
335 mechanically feasible to remove it. These requirements are set and vary by each county based on
336 depth of sand and gravel deposits. Conditions are also put on the permit that must be met.

337
338 Chair Maffei asked how Balzer's example translate into a rule. Balzer explained the rules would
339 provide a framework for the program to consistently apply the statute/requirement throughout the
340 state. Lewis said they would need to implement a new rule to address this particular area and then
341 modify three different existing rules to include the appropriate language to be comprehensive.
342

343 Teeman asked if there is a place where she can get information for the mechanics of the permitting
344 process. Balzer explained the basic permit process for MLRR. The program receives an application,
345 they review the information for completeness and to determine how the mining should be
346 undertaken. They do not have the authority to determine if a site can be mined, that is a land use
347 decision, but they get to say how the mine is operated and how it is reclaimed consistent with the
348 Mined Land Reclamation Act and the statutes on the books. Balzer stated they circulate the permit
349 to the Natural Resource agencies for both State and federal, Tribes, State Historic Preservation Office
350 (SHPO), and county for review and the opportunity to provide comments on the permit and proposed
351 conditions.
352

353 Chair Maffei suggested having an MLRR staff member give a presentation to the Board on how the
354 permitting process works.
355

356 The draft rule is to come back to the Board in December.
357

358 Staff Recommendation: DOGAMI requests authorization to initiate the rule writing process on
359 OAR 632-030 to implement HB2202.
360

361 Board Action: **Ashford moved to authorize DOGAMI staff to initiate the rule writing process on**
362 **OAR 632-030 to implement HB 2202. Kozlowski seconded. Motion carried.**
363

364 **Request 3 – Initiate Formal Rulemaking**

365 366 **OAR 632-030 Permit Boundary Survey Maps** 367

368 Background: Rule changes in 2009 required application materials for an operating permit to include a
369 permit boundary survey map to allow staff to accurately identify the area proposed to be covered
370 under the permit. The intent of this rule was to provide an accurate record of the permit boundary
371 for regulatory purposes as well as to define the extent and geography of Oregon that is subject to
372 mining and mining related activity. The rule also required operators to mark those boundaries on the
373 ground to prevent adverse off-site impacts.
374

375 Applicants and Permittees report that the cost and time required to obtain a survey is prohibitive.
376 The wait times reported are 6-12+ months, which delays the permit process. If any changes are made
377 to the permit during circulation, a second signed map is required, adding additional delays and
378 expense to the permit timeline. MLRR can identify over 150 permits that require a map to be
379 submitted and there are 7 known compliance actions related to the requirement for a permit
380 boundary survey map.
381

382 Since 2009, technological advances (google maps, GPS, Lidar) have become accessible to the general
383 public, operators & landowners; there are less costly and more efficient methods to obtain the

384 acceptable level of information required to appropriately assess the permit boundary. Portions of
385 the existing rules will be retained to allow the department to require permit boundary surveys to
386 facilitate compliance and enforcement.

387
388 The Rules Advisory Committee (RAC) will include, but not be limited to representatives of the mining
389 community, OCAPA, DOGAMI, Department of Justice and the Oregon State Board of Examiners for
390 Engineering and Land Surveying.

391
392 Lewis reminded the Board that in previous discussions of the Civil Penalty Program, she had been
393 asked if there were changes that could be made to avoid reaching the need for Civil Penalties. She
394 said one of the recurring issues they have been having is around the permit boundary survey map
395 requirement. The application process currently requires the map to be submitted at the time of
396 application, it must contain specific information, and be stamped by a licensed professional surveyor.
397 If modifications are made to the map during the circulation process, the map needs to be re-done by
398 that professionally licensed surveyor and stamped again, which could take 6-8 months due to
399 workload. This is holding up the permitting process and it is expensive. There are approximately
400 over 150 permits that do not have the appropriate map. She said this was a rule change not a statute
401 change and was implemented in 2009. The intent of the rule was to provide an accurate boundary.
402 There is now technology and other ways of verifying boundaries. Lewis stated this requirement is not
403 working, and it is not serving the permittees or staff. This would be a change to two of the basic
404 requirements for the application. The MLRR program would not be doing away with a permit
405 boundary licensed survey map entirely, they are still requesting authorization to require one for
406 discrepancies or compliance issues. She noted this change is modeled on the practices in the state of
407 Washington.

408
409 Ashford said it does cause him some concern about doing it away it entirely. Jeremiah asserted the
410 program is still keeping the option of requesting the survey map if there are concerns or issues.
411 Kozlowski asked what the trigger would be for asking for one. Balzer explained the process of it
412 being reviewed by the program's GIS specialist prior to a permit being approved and stated DOGAMI
413 has the authority to ask for additional clarifying information. Avy asked Balzer to give a practical
414 explanation of the difference between survey and GPS boundary maps. Balzer briefly explained,
415 further saying the maps show the boundaries, the mine site areas, and are very accurate.

416
417 Ashford asked if the proposal is to work with other groups to determine the language. He also asked
418 who would submit the boundary map. Balzer said most applications have engineered plans of the
419 proposed mine site. The whole application process has upgraded over the last couple of years and
420 staff feel comfortable with the level of review and scrutiny the applications receive. Ashford stated
421 he would want to know the full background of the discussions before he would approve adopting
422 rulemaking. Teeman said it would be helpful to know accuracy of the GIS maps. Teeman asked if the
423 new process could be spot checked after 6 months to follow up to verify how accurate it is. Lewis
424 said she was not sure they could follow up that quickly.

425
426 Ashford asked for an update from the Rules Advisory Committee (RAC) before the rule comes to a
427 vote. Houston explained the process of having draft language before going to the RAC. Ashford
428 asked how long it would take. Houston said it would depend on the issue. Balzer said they currently
429 receive a lot of pushback from permittees on how long it takes to resurvey the boundary. Lloyd said
430 you could go to the entire group for input on the draft language and not to just one to get
431 information. Jeremiah gave her side of the issue saying it was a very time consuming and expensive

432 process and supports this change. She believes it still allows the program to stay within the spirit of
433 the law and that it reduces the amount of unnecessary red tape since the county, in most
434 circumstances, will have a mining boundary surveyed map requirement.

435
436 Chair Maffei requested an update at December's Board meeting.

437
438 Staff Recommendation: DOGAMI requests authorization to initiate the rule writing process on OAR
439 632-030 to amend language requiring permit boundary survey maps with applications.

440
441 Board Action: **Jeremiah moved to authorize DOGAMI staff to initiate the rule writing process on**
442 **OAR 632-030 to amend language requiring permit boundary survey maps with applications.**
443 **Kozlowski seconded. Ashford opposed. Motion carried.**

444
445 **11) MLRR Update:**

446 Sarah Lewis, MLRR Program Manager, provided an MLRR update on:

447
448 [Please note, included in this packet are the ENGAGE Fall newsletter being sent out that can also be
449 found online: <https://www.oregongeology.org/mlrr/engage.htm>]

450
451 Permit Status Summary

452 Lewis reviewed the detailed list of permits and said there are about 100 renewals per month. She
453 discussed the amount/number of permits and the processing time of under one year. So far for Fiscal
454 Year 20 (FY20), there have been seven applications, eleven permits have been issued, and there are
455 seven remaining that are older than one year. She explained floodplain sites take more time to
456 process due to requirements and more state agency interactions.

457
458 Lewis provided an update on compliance and Civil Penalties. The way the new program works is a
459 renewal is late after one month and after two months a Civil Penalty is issued. The staff had
460 identified three sites that were high risk; one paid 21 days early, one paid one day late, and the site
461 that has paid over 60 days late for eleven times in the last 17 years, paid one week late. There is
462 currently one late payment for a moderate risk site, but they are not overly concerned and believe it
463 will be paid before a Civil Penalty needs to be issued. The newsletter has been very successful in
464 getting the message out. Lewis will have more information on Civil Penalties and late payments at
465 the next Board meeting in December. Lewis said mining without a permit is their second biggest
466 compliance issue, that includes mining outside of the permit boundary.

467
468 Chair Maffei asked about the requirement for the bond listed on the Compliance Action Summary
469 table. Balzer said one example is a mine operation changed their name and the security needs to
470 have the exact name; they have been working with the permittee for a replacement reclamation
471 security.

472
473 Briefing: **No Board Action Required.**

474
475 **12) Grassy Mountain Update:**

476 Sarah Lewis, MLRR Program Manager, provided the Grassy Mountain Update.

477

478 Lewis provided a brief update and said they are not pursuing any technical work at this time. Once
479 the financial side has been resolved, they will start working on it.

480

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

482

483 **13) GS&S Update:**

484 Avy stated the update is normally provided by the Program Manager, but she has taken a rotation
485 position outside the Agency so the supervisors will provide the update.

486

487 GS&S Improvement Plan – Christina Appleby

488 Appleby introduced the Improvement Plan. She stated it was created to capture the changes that
489 were happening and needed to be done. It is a living document that is used as a tool to track goals,
490 meet the requirements, and provide external communication.

491

492 The short term new mission statement is: Operate a fiscally responsible agency that is recognized for
493 its excellence in business acumen, regulation of natural resource extraction and reclamation, and
494 production of geologic information for the state of Oregon.

495

496 There are four main goals: project management/managers, program management, financial
497 management improvements, and demonstrating/communicating the progress being made to
498 external partners. Examples include having a fully staffed Business Office and the status of
499 documents being created. She asked the Board to let the team know if there are any additional items
500 they would like to see added. The progress from the team will be provided to the Board. Kozlowski
501 stated it was impressive that there are specific roles and people assigned to tasks. Chair Maffei asked
502 to have the entire document sent to the Board members.

503

504 GS&S Staffing Update – Laura Gabel

505 Gabel provided a staffing update saying the layoff process has been completed. The Legislative Fiscal
506 Office (LFO) Budget Note indicated the Agency would lose three filled positions and two vacant
507 positions. Through the process two vacant positions were eliminated; the NRS 5 staff chose to move
508 to a vacant NRS 4 position; one NRS 4 staff voluntarily left the Agency; the other NRS 4 position had
509 been underfilled so the staff member was moved to another vacant position; and then the NRS 4
510 position was eliminated. Gabel said it is tough to get projects done in a timely manner, that it is
511 definitely a challenge, but they are getting it done. Kozlowski asked how many people ultimately left
512 because of the staffing. Gabel answered one voluntarily left. Gabel added there are currently four
513 Limited Duration (LD) positions whose contracts were recently renewed for one year.

514

515 GS&S Current Workload Status – Bill Burns

516 Burns discussed the GS&S workload related to proposals, projects and publications. He said there are
517 seven new proposals – three for DLCD and four for DAS GEO. The Agency is anticipating three federal
518 proposals this fall – two are lidar projects and the third is the annual STATEMAP proposal to USGS; all
519 will require permission from the Legislature for approval to apply for these federal grants. These
520 grants support DOGAMI staff, which in turn help communities, cities, counties, other state agencies,
521 federal agencies and the citizens of Oregon.

522

523 Kozlowski had questions about the Oregon Tsunami Hazard Mitigation project related to the training,
524 education, and who the partners are. Gabel discussed the details and said that DOGAMI and OEM
525 split the grants with OEM providing more of the training.
526

527 There are two new projects: Oregon Tsunami Hazard Mitigation for FY2019 and Modified Portland
528 METRO 2019 Lidar, which is a modification to a lidar collection project in Portland. Maffei asked how
529 old the last Portland Metro lidar one was. Appleby thought it was 5 years, but the city has changed,
530 and they wanted current data.
531

532 Burns discussed the requirement from Ballard for two-year staff time forecast sheets outlining how
533 many hours each staff is going to work on each project. He said it was positive having the open
534 communication with the Business Office and the information project managers are receiving on
535 financials to help them manage projects.
536

537 There are two new publications: Open-File Report 0-19-04, Comparison of Oregon Tsunami Hazard
538 Scenarios to a Probabilistic Tsunami Hazard Analysis (PTHA), and Open-File Report 0-19-03, Columbia
539 River Simulated Tsunami Scenarios, which compares the tsunami hazard from DOGAMI and ODOT.
540

541 Kozlowski acknowledged the good work.
542

543 Briefing: **No Board Action Required.**
544

545 **14) Director's Report:**

546 Director Avy presented his Director's Report on the following:
547

548 Legislative Budget Notes Progress

549 Avy provided a flowchart handout of DOGAMI's Path Forward and highlighted a few items. He
550 discussed engaging with an organizational consultant, suggested by Sherry Carter and the
551 Commission for the Blind. This particular consultant helped the Commission's leadership team and
552 the organization tie in every person's contribution and ownership for the what the outcome needed
553 to be for the Commission. DOGAMI is exploring this as a possibility in the future.
554

555 As part of Budget Note requirements, DOGAMI is meeting with DAS, LFO, and the Governor's Office
556 on a monthly basis to discuss the Agency's financials and progress. A Strategic Plan for DOGAMI's
557 future is being developed by the Governor's Office, in collaboration with DAS, and is to be presented
558 at the next legislative session. Avy discussed the possible impact on the Agency, with options ranging
559 from continued existence to being abolished. One Budget Note item requires MLRR to have a
560 detailed fee increase proposal for the next legislative session. Sarah Lewis and Jack Kenny are
561 working on a draft proposal which carves off the Calico expenses to clearly identify what the fee
562 increase applies to. One goal is consistency going forward between the individual program fees
563 within MLRR.
564

565 Avy mentioned they are anticipating having three requests for approval to apply for grants in the
566 November legislative committee hearings. One is STATEMAP, which has been an ongoing standard
567 for the Agency. A second is a large lidar grant, which originally was under DAS GEO. DOGAMI has
568 been asked to take that on from DAS to propose it for \$3 million over 5 years; the first installment,

569 which is over \$600,000, is primarily for lidar in the south coast area. The third is a smaller lidar
570 project.

571
572 Maffei asked if the grant applications and the view from the Legislature will be an early indicator of
573 how they are feeling about the Agency. Avy agreed and said it may be before that based on whether
574 they accept them to be considered.

575
576 Kozlowski asked for more information on the consultant firm. Avy said a specific consultant firm has
577 not been decided and the Agency is unable to commit until they know they have a buffer in General
578 Fund to cover the cost.

579
580 Kozlowski said she is pleased that the Governor's Office is going to engage the Board on the Strategic
581 Plan discussion. Avy stated he is anticipating that to take place as he has been encouraging it in the
582 monthly meetings, but he had not heard that it has been confirmed yet.

583
584 Payment Process Update: Grassy Mountain Chemical Gold Mine

585 Avy discussed what he could based on a confidentiality agreement that is in place. He thanked Board
586 member Kozlowski for her assistance. He stated the process involved working with Senator Johnson
587 and meeting with the concerned parties and other Legislators on August 21st. There is a conceptual
588 agreement and the Agency anticipates a final settlement agreement in October.

589
590 GS&S Program Update

591 Avy said Alyssa Pratt, Acting GS&S Program Manager, took a rotation at a different agency as a
592 Program Coordinator. She still has the opportunity to come back to DOGAMI. If funds are available,
593 the recruitment for a permanent Program Manager could move forward. Long term, the possibility
594 of having two managers would be ideal to cover staff and their needs. Avy said he appreciated all
595 the rotational supervisors and had positive comments about the work they did during their rotations.
596 Maffei asked how many had been through the rotation in the GS&S program as a supervisor or
597 manager. Avy said about ten, with some being duplicates.

598
599 Briefing: **No Board Action Required.**

600
601 **15) Confirm 2020 DOGAMI Board Meeting Dates:**

602 Lori Calarruda, Executive Assistant/Chair Maffei presented the proposed 2020 Board meeting dates.
603 Currently all meetings are anticipated to take place in Portland.

604
605 The 2020 DOGAMI Board Meeting Dates:

606
607 **March 9, 2020 (Monday)** – Portland, OR

608
609 **July 13, 2020 (Monday)** (possible retreat on July 12 – Sun evening) – TBD

610
611 Note: A location for the July dates has not been determined. Chair Maffei will have a discussion at
612 the March meeting after the Legislative session and the status of the Agency is known.

613
614 **September 25, 2020 (Friday)** – Portland, OR

615
616 **December 4, 2020 (Friday) – Portland, OR**

617
618 Board Action: **Ashford moved to accept the proposed 2020 Board meeting dates as discussed.**
619 **Kozlowski seconded. Motion carried.**

620
621 **16) Confirm Time and Date for Next Meeting:**

622 Chair Maffei stated the next DOGAMI Board is currently scheduled for Monday, December 9, 2019 in
623 Portland. She is confirming this date is still acceptable for the Board.

624
625 The date was not changed but the start time was changed to 8:00 a.m. with all decision-making items
626 to be scheduled first on the agenda.

627
628 Board Action: **Jeremiah moved to confirm December 9, 2019 at 8:00 a.m. as the next meeting date.**
629 **Kozlowski seconded. Motion carried.**

630
631 **17) Public Comment:**

632 Chair Maffei asked for public comment.

633
634 Comment of McKesson: McKesson discussed jurisdictions and rulemaking then stated the areas that
635 are unable to be changed should be marked out and left alone.

636
637 **18) Board Adjourn:**

638 Chair Maffei adjourned the meeting at 2:13 p.m.

639
640 APPROVED

641
642
643
644

Laura Maffei, Chair

645

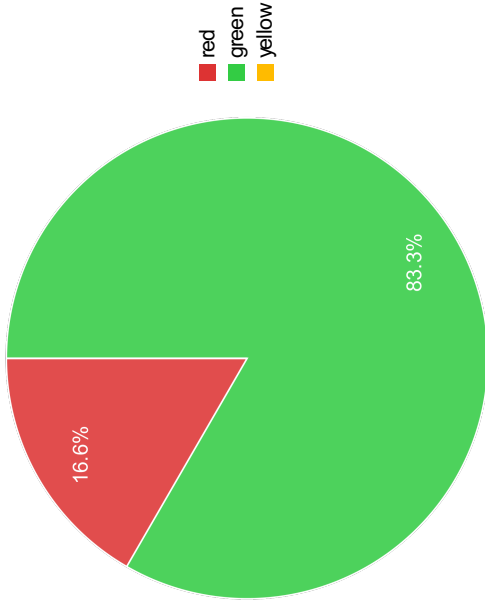
Geology & Mineral Industries, Department of

Annual Performance Progress Report

Reporting Year 2019

Published: 9/26/2019 12:16:37 PM

KPM #	Approved Key Performance Measures (KPMs)
1	HAZARD AND RISK ASSESSMENT COMPLETION - Percent of population residing in Oregon Urban Growth Boundary Areas (UGBAs) that have completed geologic hazard and risk assessments that are suitable to initiate Department of Land Conservation and Development goal 7 planning for earthquake, landslide, tsunami, coastal erosion, volcanic and flooding hazards.
2	DETAILED GEOLOGIC MAP COMPLETION - Percent of Oregon where geologic data in the form of high resolution maps have been completed to be used for local problemsolving.
3	LIDAR DATA COMPLETION - Percent of Oregon (sq. miles) with lidar data at USGS quality level 2 or better.
4	PERCENT OF MINE SITES INSPECTED BIENNIALY - Percent of permitted mine sites inspected biennially.
5	CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent"; overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.
6	GOVERNANCE - Percent of yes responses by Governing Board members to the set of best practices.

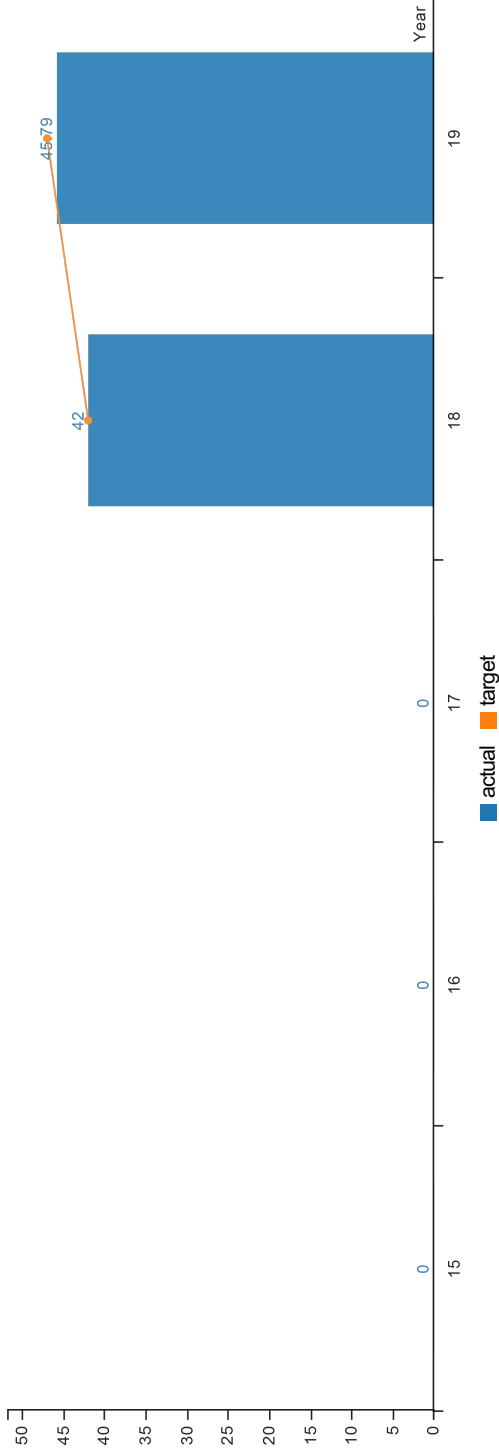


Performance Summary		
Green	Yellow	Red
= Target to -5% 83.33%	= Target -5% to -15% 0%	= Target > -15% 16.67%
Summary Stats:		

HAZARD AND RISK ASSESSMENT COMPLETION - Percent of population residing in Oregon Urban Growth Boundary Areas (UGBs) that have completed geologic hazard and risk KPM #1 assessments that are suitable to initiate Department of Land Conservation and Development goal 7 planning for earthquake, landslide, tsunami, coastal erosion, volcanic and flooding hazards.

Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2015	2016	2017	2018	2019
HAZARD AND RISK ASSESSMENT COMPLETION					
Actual	No Data	No Data	No Data	42%	45.79%
Target	TBD	TBD	TBD	42%	47%

How Are We Doing

KPM # 1 was legislatively approved during the 2017 Legislative Session and tracks the percent of population residing in Oregon Urban Growth Boundary Areas (UGBs) that have completed geologic hazard and risk assessments that are suitable to initiate Department of Land Conservation and Development goal 7 planning for earthquake, landslide, tsunami, coastal erosion, volcanic and flooding hazards.

The agency has completed 97% of the 2019 target.

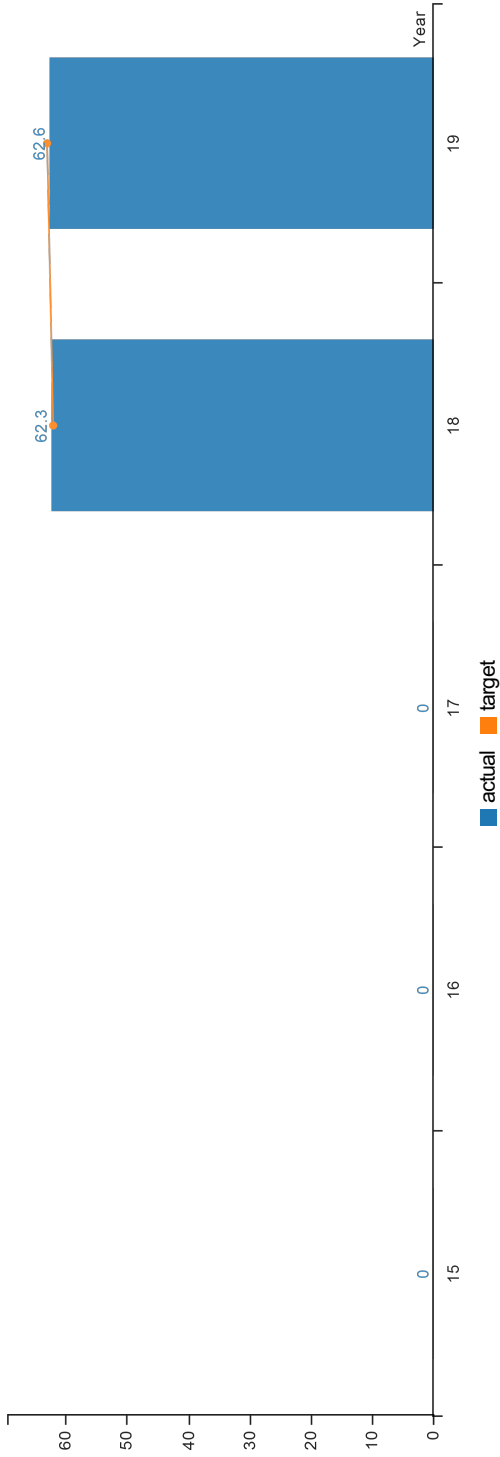
Factors Affecting Results

The completion of hazard and risk assessments are dependent on funding from local, state, and federal resources.

KPM #2 DETAILED GEOLOGIC MAP COMPLETION - Percent of Oregon where geologic data in the form of high resolution maps have been completed to be used for local problem solving.

Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2015	2016	2017	2018	2019
DETAILED GEOLOGIC MAP COMPLETION					
Actual	No Data	No Data	No Data	62.30%	62.60%
Target	TBD	TBD	TBD	62%	63%

How Are We Doing

KPM # 2 was legislatively approved during the 2017 Legislative Session and tracks the completion of high resolution geologic maps in Oregon's nominal inhabited area.

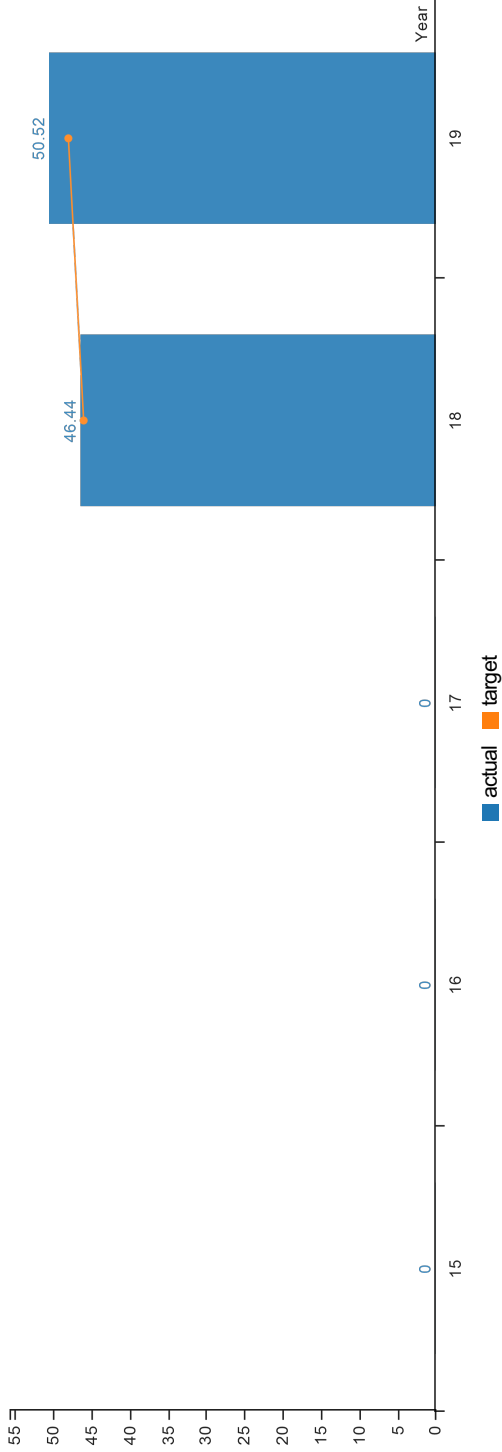
The agency has completed 99% of the 2019 target.

Factors Affecting Results

Creating high resolution geologic maps in nominal inhabited areas are dependent on funding from local, state, and federal resources.

KPM #3	LIDAR DATA COMPLETION - Percent of Oregon (sq. miles) with lidar data at USGS quality level 2 or better.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2015	2016	2017	2018	2019
LIDAR DATA COMPLETION					
Actual	No Data	No Data	No Data	46.44%	50.52%
Target	TBD	TBD	TBD	46%	48%

How Are We Doing

KPM # 3 was legislatively approved during the 2017 Legislative Session and tracks the percentage Oregon with lidar data at USGS quality level 2 or better. The agency gathered this data from July 1, 2018 through June 30, 2019 and determined the percentage of Oregon with existing lidar data at USGS quality level 2 or better.

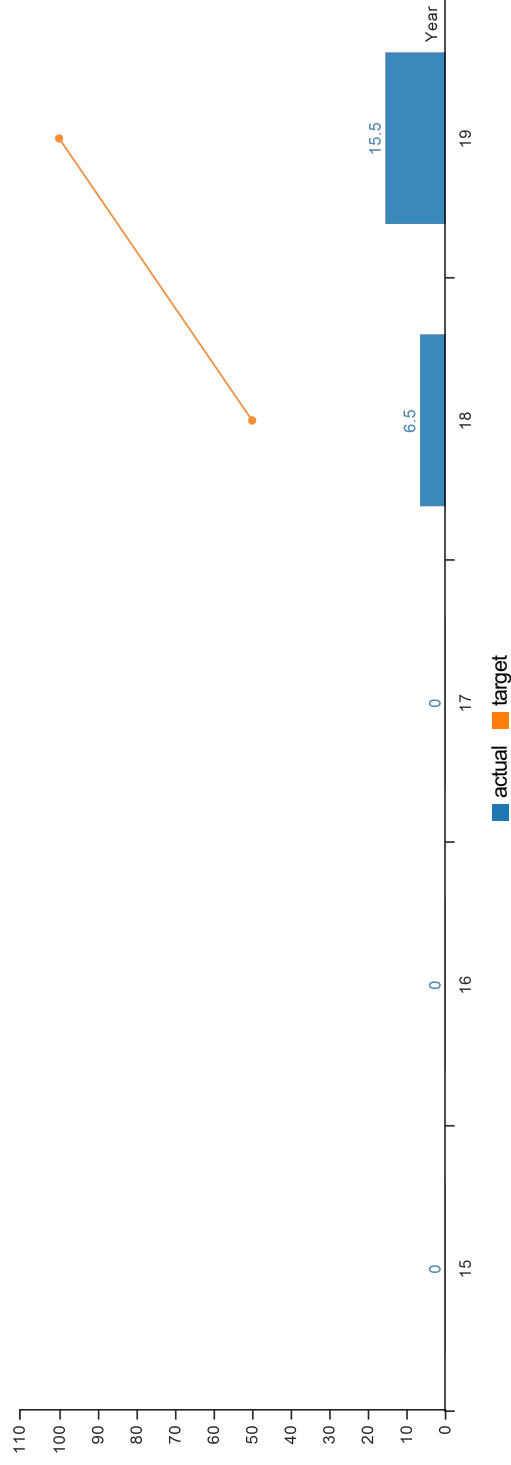
The agency has completed 105.25% of the 2019 target.

Factors Affecting Results

Obtaining lidar data is dependent on funding through local, state, and federal resources.

KPM #4	PERCENT OF MINE SITES INSPECTED BIENNIALLY - Percent of permitted mine sites inspected biennially.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2015	2016	2017	2018	2019
Percent of permitted mine sites inspected biennially;					
Actual	No Data	No Data	No Data	6.50%	15.50%
Target	TBD	TBD	TBD	50%	100%

How Are We Doing

The KPM was legislatively approved during the 2017 Legislative Session and tracks the percentage of the total number of permitted mine sites inspected biennially. The target percentage of permitted mine sites inspected during the first half of the biennium is 50% of the total number of permitted mine sites. The target percentage of permitted mine sites inspected within the entire biennium (first half and second half of the biennium) is 100% of the total number of permitted mine sites. The 2019 data represents the percentage of the total number of permitted mine sites inspected during the entire biennium.

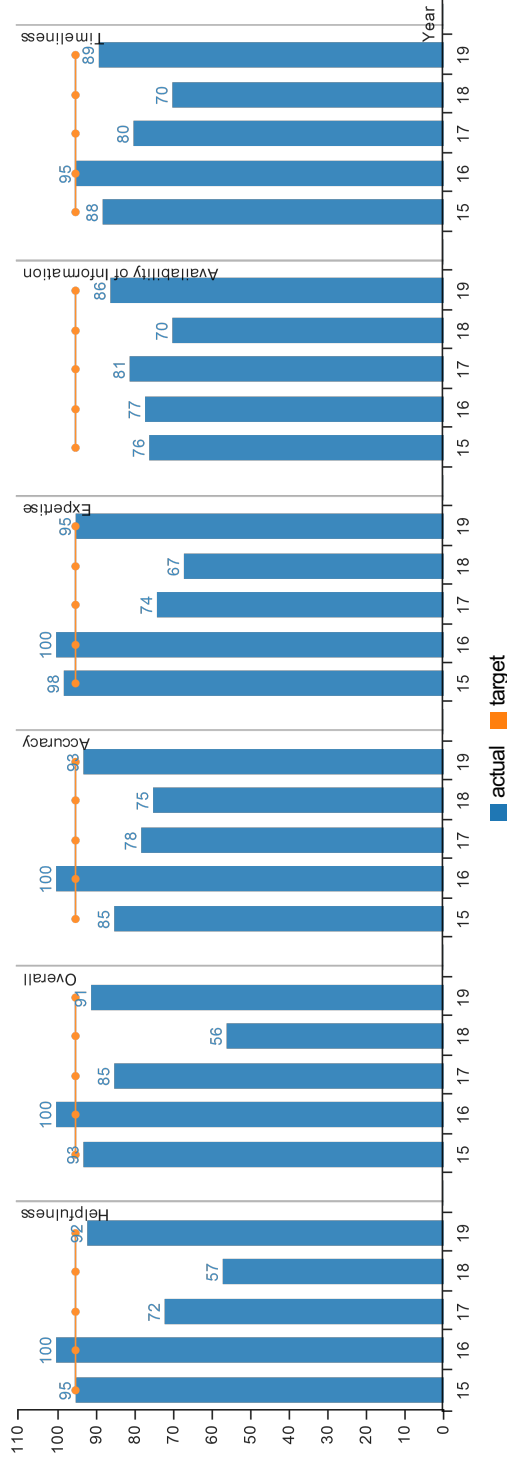
The agency has completed 15.5% of the 2019 biennium target.

Factors Affecting Results

Completing sites inspections is dependent on funding and staffing resources.

KPM #5 CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.

Data Collection Period: Jul 01 - Jun 30



Report Year	2015	2016	2017	2018	2019
Helpfulness					
Actual	95%	100%	72%	57%	92%
Target	95%	95%	95%	95%	95%
Overall					
Actual	93%	100%	85%	56%	91%
Target	95%	95%	95%	95%	95%
Accuracy					
Actual	85%	100%	78%	75%	93%
Target	95%	95%	95%	95%	95%
Expertise					
Actual	98%	100%	74%	67%	95%
Target	95%	95%	95%	95%	95%
Availability of Information					
Actual	76%	77%	81%	70%	86%
Target	95%	95%	95%	95%	95%
Timeliness					
Actual	88%	95%	80%	70%	89%
Target	95%	95%	95%	95%	95%

How Are We Doing

Based on 198 survey responses, the agency's customer service performance has improved across all areas in 2019.

For each category, the agency has obtained:

97% of the "Helpfulness" target in 2019;

95% of the "Overall" target in 2019;

98% of the "Accuracy" target in 2019;

100% of the "Expertise" target in 2019;

91% of the "Availability" target in 2019; and

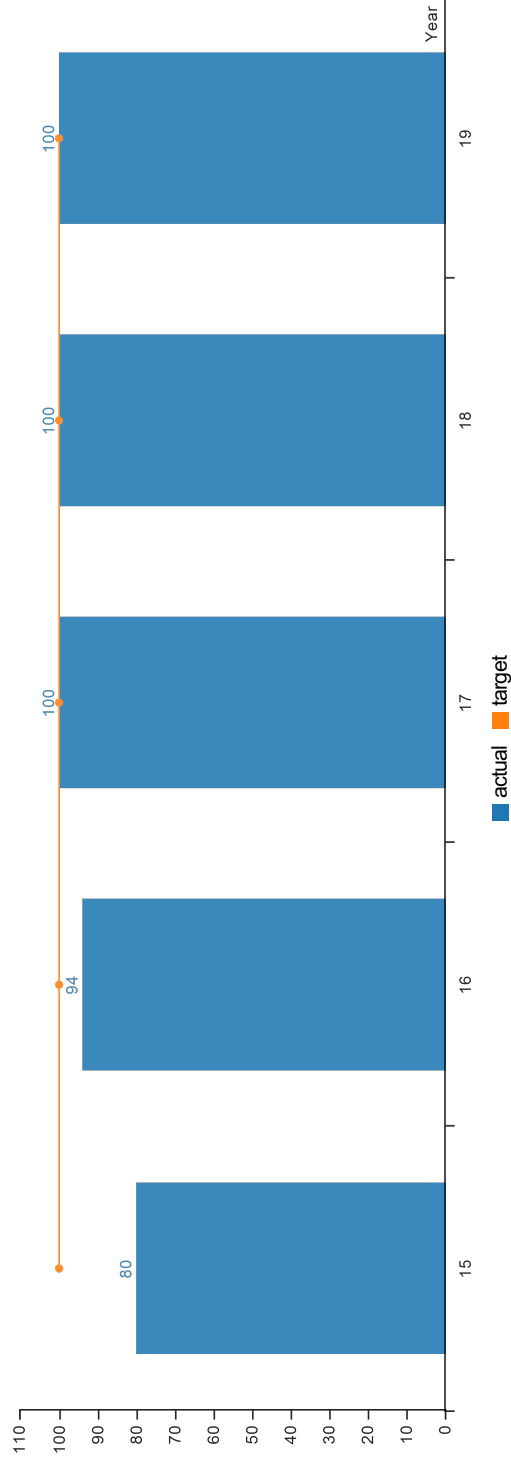
94% of the "Timeliness" target in 2019.

Factors Affecting Results

Customer surveys responses were gathered following meetings and in response to an online survey program from geoscience stakeholders. Multiple factors can influence response rates. Opportunities to improve customer survey engagement is a continuing focus moving forward.

KPM #6	GOVERNANCE - Percent of yes responses by Governing Board members to the set of best practices.
	Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2015	2016	2017	2018	2019
Metric Value					
Actual	80%	94%	100%	100%	100%
Target	100%	100%	100%	100%	100%

How Are We Doing

Best Practice Criteria: 1) Executive Director's performance expectations are current; 2) Executive Director receives annual performance feedback; 3) The agency's mission and high-level goals are current and applicable; 4) The Board reviews the Annual Performance Progress Report; 5) The Board is appropriately involved in review of the agency's key communications; 6) The Board is appropriately involved in policy-making activities; 7) The agency's policy option packages are aligned with their mission and goals; 8) The Board reviews all proposed budgets; 9) The Board periodically reviews key financial information and audit findings; 10) The Board is appropriately accounting for resources; 11) The agency adheres to accounting rules and other relevant financial controls; 12) The Board members act in accordance with their roles as public representatives; 13) The Board coordinates with others where responsibilities and interests overlap; 14) The Board members identify and attend appropriate training sessions; 15) The Board reviews its management practices to ensure best practices are utilized.

The agency has completed 100% of the 2019 target.

Factors Affecting Results

The Board and Agency have worked diligently to formalize the standard operating policies and procedures in administration, finance, human resources and information technology. In addition, the Board has completed the Director's Performance Evaluation for 2019.

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Laura Maffei, Governing Board Chair

Date: November 25, 2019

Regarding: Agenda Item 4 – Approval of Annual Director’s Evaluation Written Document

The Board will take action on the Director’s Annual Evaluation written document.

Proposed Board Action: Approve the Annual Director’s Evaluation written document, based on the Board’s approval motion to accept Annual Director’s Review/Evaluation at the September 9, 2019 Board meeting.

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Laura Maffei, Governing Board Chair

Date: November 25, 2019

Regarding: Agenda Item 5 – Confirm Time and Date for next meeting

Currently the next DOGAMI Board meeting is scheduled for Monday, March 9, 2020.

Note: This is also a heads up that a Special Meeting may need to be scheduled in January to discuss additional financial requirements such as a potential second year budget and MLRR Fee Increases.

Proposed Board Action: The Board may be asked to take action on this item by Confirming or Amending the currently scheduled Board meeting date.

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Bob Houston, Interim Legislative Coordinator/Rules Coordinator

Date: December 2, 2019

Regarding: Agenda Item 6 – Rule Writing

Bob Houston, Rules Coordinator, will discuss four separate rule writing updates and/or requests that will need to be approved by the Board for further actions.

- 1) Update on Service Fees Rulemaking
- 2) Update on Permit Boundary Survey Maps Rulemaking
- 3) Update of HB2202: High Value Soils Rulemaking
- 4) Request to Initiate Formal Rulemaking on Alternative Dispute Resolution Model Rules

Proposed Board Action: The Board will be asked to take an action on this item.

Request 1 – Approval of Service Fees Draft Rule Language

Background: The Oregon Department of Administrative Services has updated the Statewide Policy on Public Records Request Fees and Charges (107-001-030). At the July 9, 2019 Governing Board meeting, the Board authorized the Department to initiate rulemaking to amend OAR 632-001-0010 to comply with the statewide policy on Public Records Request Fees and Charges. The proposed draft amendments to OAR 632-001-0010 were approved at the September 9, 2019 Governing Board meeting.

Rulemaking Status: Currently, rulemaking is proceeding through the process. The Department will provide an update to the Board at a following meeting.

Proposed Board Action: No Board Action Required.

Request 2 - Update on Permit Boundary Survey Maps Rulemaking

Background: The Board authorized the Department to initiate rulemaking on OAR 632-030 at the September 9, 2019 Governing Board meeting to amend rule language relating to the submittal requirements of a permit boundary survey map.

Rulemaking Status: The Department will develop draft rule language and provide an informational update to the Board at an upcoming meeting.

Proposed Board Action: No Board Action Required.

Request 3 - Update of HB 2202 - High Value Soils Rulemaking

Background: As you may recall, the legislature passed HB 2202 (2013 Regular Session) involving aggregate mining on high value farm land in the Willamette Valley (ORS 517.825). The legislative intent was to make sure operators mined deep enough to remove all the aggregate and thereby limit impacts on high value soils. The Board authorized the Department to initiate rulemaking on OAR 632-030 on September 9, 2019 to implement provisions specified in HB 2202.

Rulemaking Status: The Department is currently developing draft rule language. Following steps include identifying Rules Advisory Committee (RAC) members and convene RAC meeting(s). The RAC provides input on substance and language of the rule and provides input on the Fiscal Impact Statement. The Department will provide an update to the Board at a following meeting.

Proposed Board Action: No Board Action Required.

Request 4 - Request to Initiate Formal Rulemaking on Alternative Dispute Resolution - Model Rules

Background: Under certain conditions the Department may modify an operating permit or reclamation plan without the consent of the operator (ORS 517.831). If the Department modifies an operating permit or reclamation plan without the consent of the operator, the department must provide the operator with an opportunity for alternative dispute resolution in the manner provided in ORS 183.502. Currently, OAR 632-001 does not provide an alternative means of dispute resolution. The Attorney General's Collaborative Dispute Resolution Model Rule is available for adoption by reference.

Staff Recommendation: DOGAMI requests authorization to initiate formal rulemaking on OAR 632-001 to provide an alternative dispute resolution procedure.

Proposed Board Action: Authorize DOGAMI staff to initiate formal rulemaking on OAR 632-001 to provide an alternative dispute resolution procedure.

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Sarah Lewis, MLRR Program Manager

Date: November 25, 2019

Regarding: Agenda Item 7 – Civil Penalties

Sarah Lewis, MLRR Program Manager will provide a case to review for Civil Penalties.

Proposed Board Action: The Board will be asked to take an action on this item by allowing staff to move forward with Civil Penalties on the presented case.



Oregon

Kate Brown, Governor

Department of Geology and Mineral Industries
Mineral Land Regulation & Reclamation
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Albany, OR 97321-2246
(541) 967-2039
Fax: (541) 967-2075
www.oregongeology.org

BEFORE THE STATE GEOLOGIST
OF THE DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES
OF THE STATE OF OREGON

In the Matter of Alleged Violation of)
ORS 517.800(2), OAR 632-030-0040(2)) NOTICE OF CIVIL PENALTY
by George Jay Williamson)
)
Case No. DGMI-2019-0108)

I.BACKGROUND

The State Geologist of the Oregon Department of Geology and Mineral Industries (Department) is sending you this Notice pursuant to ORS 517.992, which authorizes the governing board of the Department to impose civil penalties. Relevant portions of additional laws and rules are cited on the following pages.

Based upon the following facts and the Department’s file in this case, the Department makes conclusions of law and proposes to issue a Notice of Civil Penalty against you for failure to submit the required annual fee and annual report prior to the anniversary date of operating permit ID 29-0040. This Notice explains the Department’s allegations against you and how you may respond to them.

II.FINDINGS OF FACT

1. George Jay Williamson is the Owner and Operator of the Ekroth Quarry.
2. On or before August 31, 2019 the annual renewal fee and annual report were required to be submitted to the Department.
3. An annual renewal and report form was mailed to Mr. Williamson on August 1, 2019.
4. A Notice of Violation and Compliance Schedule were issued to Mr. Williamson on October 1, 2019, accompanied by a second annual renewal and report form. The compliance schedule required the annual fee and annual report to be submitted on or before October 31, 2019.
5. Mr. Williamson submitted the annual fee and annual report on November 15, 2019.

III.APPLICABLE LAW

The following statutes and administrative rules are relevant to this Notice of Civil Penalty:

1. ORS 516.010, ORS 517.750, and OAR 632-030-0010 contain pertinent definitions.
2. ORS 516.090 sets forth the duties and powers of the Governing Board of the Department.
3. ORS 516.130 sets forth the duties and powers of the State Geologist.
4. ORS 517.790(1) requires a landowner or operator to obtain a valid operating permit from the Department before engaging in surface mining on land not surface mined on July 1, 1972.
5. ORS 517.800(2) requires each holder of an operating permit to annually pay to the department a base fee of \$850, plus \$0.0095 per ton of aggregate or mineral ore extracted during the previous 12-month period.
6. ORS 517.840 sets forth the authority of the Governing Board of the Department to administer and enforce the provisions of ORS 517.702 to 517.989.
7. ORS 517.850 authorizes the Department to inspect permitted surface mining operations.
8. ORS 517.860 authorizes the Department to issue a notice of violation and/or a compliance order if it determines that an operator is not complying with the operating permit, the reclamation plan, the provisions of Chapter 517, or the rules of the Department.
9. ORS 517.862(2)-(3) authorize the Department to revoke, terminate, or refuse to renew an operating permit under certain circumstances, and specify the consequences of such revocation, termination, or refusal to renew.
10. ORS 517.890 provides: “Any final determinations made by the State Department of Geology and Mineral Industries in carrying out the provisions of ORS 517.702 to 517.989 and the rules and regulations adopted thereunder may be reviewed in the manner provided by the applicable provisions of ORS chapter 183.”
11. ORS 517.992 authorizes the issuance of civil penalties.
12. OAR 632-030-0015 authorizes the Department to require any relevant information from an operator or landowner, and to require surveys and marking.
13. OAR 632-030-0024 specifies the manner in which the Department will inspect surface mining operations.
14. OAR 632-030-0027 specifies the minimum standards for a reclamation plan.

15. OAR 632-030-0040(2) provides: “Prior to the anniversary date of an operating permit, the operator shall submit the required annual fee and file the annual report. The annual report must include production figures that provide a legal and accurate report of all materials mined or excavated.”
16. OAR 632-030-0040(3) provides: “If the Department determines that the permittee has not complied or is not complying with the approved reclamation plan, permit conditions, the Act, or the rules adopted thereunder, the Department will take appropriate action including one or more of the following: a notice of violation under ORS 517.860, a compliance order under 517.860, a suspension order under 517.880, recovery against the bond or alternative form of security under 517.860, and an assessment of civil penalties under 517.992.”
17. OAR 632-030-0056 sets forth the process for appealing a Department decision.
18. OAR 632-030-0070 provides:
 - “(1) Applicability. This section of these rules applies to the imposition of civil penalties under ORS 517.992(2) for violations of statutes, rules, orders, and permit conditions not related to a chemical process mine.
 - (2) Definitions. For purposes of this rule:
 - (a) "Compliance Order" means an order issued under ORS 517.860(1)(b). The compliance order also may be used for informal disposition of proceedings through stipulation, agreed settlement, consent order, or default;
 - (b) "Notice of Violation" means a notice issued under ORS 517.860(1)(a);
 - (c) "Notice of Civil Penalty" means a notice that imposes a civil penalty under ORS 517.992(2);
 - (d) "Violation" means conduct for which a penalty may be imposed under ORS 517.992(2).
 - (3) Notice of Civil Penalty -- Form and Service. A Notice of Civil Penalty shall be in a form and shall be served in the manner required by ORS 183.415.
 - (4) Appeals -- Consolidation. Any person issued a Notice of Civil Penalty shall have the right to a contested case hearing. The hearing must be requested in writing within 20 days of the date of service.
 - (5) Civil Penalty -- Classification:
 - (a) Civil penalties imposed under ORS 517.992(2) will be coordinated with other agencies to avoid duplication of penalty for the same violation and be in accordance with the following schedule:

(A) Class 1. Violation that poses no potential threat to human health, safety, or the environment: no more than \$1,000 per day;

(B) Class 2. Violation that poses a potential threat to human health, safety, or the environment, or repeat Class 1 Violation: no more than \$3,000 per day. Potential threats to human health, safety, or the environment include, but are not limited to, actions that increase instability, erosion, or an unsafe condition at the site;

(C) Class 3. Violation that poses an immediate but remediable threat to the environment or a repeat Class 2 violation: no more than \$6,000 per day. For the purposes of this rule, an "immediate but remediable threat to the environment" means that without a quick response and considering such factors to include, but not limited to slope and erodibility, damage will occur and that upon remediation there will be no lasting effect of that damage.

(D) Class 4. Violation that:

(i) Poses an immediate threat to human health or safety;

(ii) Causes actual human injury;

(iii) Poses a threat to the environment that is immediate and not remediable;

(iv) Causes actual damage to the environment; or

(v) Is a repeat Class 3 violation: \$1,000 to \$10,000 per day.

(b) Each day of a continuing violation may be treated as a separate violation for purposes of imposing a civil penalty.”

IV. CONCLUSIONS OF LAW

1. George Jay Williamson is required to comply with the terms of ORS 517.800(2) and OAR 632-030-0040(2).
2. George Jay Williamson has violated the terms of ORS 517.800(2) and OAR 632-030-0040(2) by failing to submit the annual fee and annual report prior to the anniversary date of operating permit ID 29-0040.
3. George Jay Williamson has violated ORS 517.992(2)(b) by failing to comply with an order issued under ORS 517.860.
4. George Jay Williamson is subject to assessment of a civil penalty for the violation, pursuant to ORS 517.992(2).

V. PROPOSED ASSESSMENT OF PENALTY

1. The Department intends to impose upon you a civil penalty of \$500 for the violation(s) alleged in this Notice.
2. The Department has calculated the amount of the civil penalty using factors specified in the law, as follows:
 - a. This is a Class 1 violation because it poses no potential threat to human health, safety, or the environment. OAR 632-030-0070(5)(a)(A).
 - b. This violation lasted for 1 days.
 - c. This is the respondents first violation of ORS 517.800(2) and OAR 632-030-0040(2) to be referred for assessment of a civil penalty.
 - d. Therefore, the Department has calculated the amount of the proposed civil penalty as \$500.
3. Unless you request a hearing (see Section VII below) in writing, and it is received by the Department within 20 days of service of this notice, the Department will issue a final order assessing the civil penalty. In that case you must, within 10 days of issuance of the final order, submit a check or money order in the amount of \$500 made payable to the "State of Oregon, Department of Geology and Mineral Industries." The payment must be sent to:

Department of Geology and Mineral Industries
229 Broadalbin St SW
Albany, OR 97321

VI. FAILURE TO PAY

Unless you pay the penalty within 10 days after a *final* order is served, the order shall constitute a judgment and may be recorded with the county clerk in any county of this state. The clerk will record your name and the amount of the penalty in the County Clerk Lien Record. Once the order is recorded, the penalty provided therein becomes a lien upon the title to any interest in real property you may have in the county. The Department may seek to collect on the lien via a writ of garnishment, a notice of garnishment, or a writ of execution. The Department may also refer any past-due civil penalties to the Department of Revenue or a private collections agency for collection.

If a civil penalty or any portion of the civil penalty is not paid, interest will accrue at the rate of nine percent per annum on the unpaid balance.

VII. HEARING

You have the right, if you so request, to challenge this Notice of Civil Penalty in a contested case hearing. A contested case hearing is a trial-type proceeding before an Administrative Law Judge pursuant to ORS Chapter 183, in which you have the right to be represented by an attorney. Legal aid organizations may be able to assist a party with limited financial resources. If you are an agency, corporation, partnership, limited liability company, trust, government body, or an unincorporated association, you must be represented at the hearing by an attorney licensed in Oregon.

If you want to request a hearing, you must do so in writing to the Department, and your request must be received within twenty (20) days from the date of service (i.e., the date the Notice was mailed) of this Notice. Your request must be in response to the specific findings in this Notice. If we receive your request for hearing within the legal time period, we will refer the case to the Office of Administrative Hearings, which will then notify you of the date, time and place of the hearing. You will also receive a document providing information about hearing procedure and your rights.

VIII.FINAL ORDER

If you fail to file a timely request for hearing, or if you fail to appear at a scheduled hearing, this Notice will automatically become an enforceable Final Order against you. In the event of default, the Department designates its file in this matter, including all materials that you have submitted, as the record for purposes of proving a prima facie case.

IX.FURTHER VIOLATIONS

If any other violation occurs, the Department will seek an additional civil penalty against you, using another written notice. You would be given an opportunity to challenge that proposed civil penalty in a contested case hearing as well.

X. NOTICE TO ACTIVE DUTY SERVICEMEMBERS

Active duty Servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.

Issued this _____ day of [[MONTH]], [[YEAR]].

Sarah L. Lewis on behalf of State Geologist
MLRR Program Manager
Oregon Dept. of Geology and Mineral Industries

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Dania Ballard, Chief Financial Officer

Date: December 3, 2019

Regarding: Agenda Item 8 – Financial Report

Attached is the DOGAMI Budget Status Report, as of October 31, 2019 for the Geological Survey and Services (GS&S) Program and the Mineral Land Regulation & Reclamation (MLRR) Program.

Proposed Board Action: The Budget Status Report be Approved/Not Approved as presented.



TO: Board of Directors
FROM: Dania Ballard, Chief Financial Officer
DATE: December 9, 2019
SUBJECT: Financial Operations and Reporting

Board Governance

The Board has a duty to provide guidance related to operational decision-making and to affirm the Agency is appropriately managing its financial resources. Four key areas of responsibility include:

- The Board reviews all proposed budgets;
- The Board periodically reviews key financial information and audit findings;
- The Board is appropriately accounting for resources; and
- The Agency adheres to accounting rules and other relevant financial controls.

In addition to operational communication, this memo will include topical areas of discussion related to these objectives with the expectation of inquiry and follow up as needed to support Board governance.

Fiscal Year 2019 End/New Biennium

Fiscal year (FY) 2019 ended June 30, 2019. FY19 financials are substantially complete, all entries will be finalized by December 31, 2019. There remains some financial processing for mostly grant-related activities due to end-of-biennium cashflow issues, staffing changes, and general year-end processing. Estimates are being trued up as direct costs are reaffirmed, indirect costs assessed, and federal/other fund draws are performed.

The month of October (FY20) is closed. November is anticipated to have higher than average expenditures due to backlogged processing. Most current FY20 financials have been updated for actual costs through October. Due to greater than budgeted General Fund consumption in the first quarter, projections will be adjusted forward reflective of cost reduction directives.

Financial Reporting

Geological Survey & Services (GS&S) Program				
As of October 31, 2019				
	2019-21 Actual + Projected Revenue & Expenditures			
	General Funds	Other Funds	Federal Funds	All Funds
Total Available Revenue	\$ 2,534,180	\$ 1,271,504	\$ 1,980,694	\$5,786,378
Total Expenditures	\$ 2,547,274	\$ 1,023,863	\$ 1,980,694	\$5,551,831
GS&S Ending Balance	\$ (13,094)	\$ 247,641	\$ -	\$ 234,547

Current financials including original projections indicate a General Fund end balance deficit of \$13,094. However, this deficit is anticipated to be greater in November due to delays in FY20 invoice processing. General Fund cost reduction directives have been implemented to assure no overspend and projections will be re-forecasted.

Mineral Land Regulation & Reclamation (MLRR) Program				
As of October 31, 2019				
	2019-21 Actual + Projected Revenue & Expenditures			
	General Funds	Other Funds	Federal Funds	All Funds
Total Available Revenue		\$ 1,742,540		\$1,742,540
Total Expenditures		\$ 1,677,056		\$1,677,056
MLRR Ending Balance	\$ -	\$ 65,483	\$ -	\$ 65,483

MLRR ending Other Fund balance is projected to have an ending balance of \$65,483.

Strong Motion Instrument Fund (SMIF)			
As of October 31, 2019			
	2019-21 Actual + Projected Revenue & Expenditures		
	Other Funds	Federal Funds	All Funds
Total Available Revenue	\$ 329,326		\$ 329,326
Total Expenditures	\$ 2,612		\$ 2,612
SMIF Ending Balance	\$ 326,714	\$ -	\$ 326,714

Reclamation Guarantee Fund	
As of October 31, 2019	
Beginning 2019-21: 54 Cash Securities	\$ 613,637
0 Security Releases	\$ -
4 New Securities	\$ 106,570
Biennium to Date: 58 Cash Securities	\$ 720,207

The Strong Motion Instrument Fund has a current FY20 ending balance of \$326,714 and the Reclamation Guarantee Fund retains \$720,207 in cash securities.

Business Office Activities

Grant Reporting

All outstanding grant financial reporting has been completed and is current to date.

Grant Overspend Tracking

Overspent grants that were approved in FY19 for additional General Funds in FY20 to fulfill completion are done. Active projects are being monitored and strategically realigned to meet funding limitations.

Recruitment

A Grant Accountant (Accountant 3) has been hired and begins December 9th. Final interviews for a Contracts and Procurement Specialist 2 will be on December 4th. Interviews for the Fiscal Analyst 3 are scheduled on December 5th.

Grant Budget Monitoring Tool

A standardized project/grant budget monitoring tool has been created. This tool summarizes all actual to budget costs, by grant/project with labor hour detail by staff. Additionally, it will project revenue by fund source as well as serve as a staff scheduling tool to facilitate project management objectives.

Grant Financial Reporting

Grant-level financial reporting has been created and has been used to facilitate FY19 close out revenue collection and indirect cost calculations. An expectation is that these standardized reports will be provided to project managers on a monthly basis. All project managers have received financial updates and for grants at risk for overspend, strategy discussed to maintain budget limitations.

ATTACHMENTS:

DOGAMI Financial Report

Department of Geology & Mineral Industries
Budget Status Report: As of October 31, 2019

% of Time Spent
33%

Geological Survey & Services (GS&S) Program

Budget Category / Line Item	2019-21 Budget by Funding Source			All Funds	2019-21 Actual Revenue & Expenditures			Actual Budget Spent			2019-21 Projected Revenue & Expenditures			2019-21 Actual + Projected Revenue & Expenditures			Actual + Projected Budget Total			
	General Funds	Other Funds	Federal Funds		General Funds	Other Funds	Federal Funds	General Funds	Other Funds	Federal Funds	General Funds	Other Funds	Federal Funds	General Funds	Other Funds	Federal Funds	General Funds	Other Funds	Federal Funds	
Revenue																				
Beginning Balance	-	1,029,817	-	1,029,817	-	252,275	-	-	-	-	-	-	-	-	-	-	-	-	-	
2019-21 Revenue & Transfers	2,534,180	1,319,027	2,902,495	6,755,702	949,057	152,399	63,068	1,164,524	1,585,123	866,830	1,917,626	4,369,579	2,534,180	1,019,229	1,980,694	5,534,103	252,275	-	-	
Total Available Revenue	2,534,180	2,348,844	2,902,495	7,785,519	949,057	404,674	63,068	1,416,799	1,585,123	866,830	1,917,626	4,369,579	2,534,180	1,271,504	1,980,694	5,786,378	100%	54%	68%	74%
Expenditures:																				
<i>Personnel Services</i>	1,622,450	337,818	1,185,892	3,146,159	712,784	156,912	183,709	1,053,405	1,443,981	225,572	439,504	2,109,056	2,156,765	382,483	623,213	3,162,461	133%	113%	53%	101%
<i>Services & Supplies</i>	5,159	32,387	72,570	110,116	169	122	-	291	4,990	36,298	72,570	113,857	5,159	36,420	72,570	114,149	-	-	-	-
Instate Travel	3,725	12,059	3,388	19,171	-	-	-	-	3,725	13,566	3,811	21,102	3,725	13,566	3,811	21,102	-	-	-	-
Out of State Travel	1,333	5,670	4,282	11,285	-	-	-	-	1,333	6,378	4,282	11,993	1,333	6,378	4,282	11,993	-	-	-	-
Employee Training	6,398	16,792	724	23,914	26,209	-	-	26,209	-	18,890	815	19,705	26,209	18,890	815	45,914	-	-	-	-
Office Expenses	43,260	232	7,484	50,975	5,928	-	-	5,928	-	260	-	37,391	43,319	260	-	43,580	-	-	-	-
Telecomm	61,190	65,870	58,951	186,010	1,034	-	-	1,034	198,569	-	-	198,569	199,603	-	-	199,603	-	-	-	-
State Gov't Svc Chg	463,525	-	3,498	467,022	-	-	-	-	99,869	-	-	99,869	99,869	-	-	99,869	-	-	-	-
Data Processing	-	2,555	30,802	33,357	-	-	-	-	-	1,916	-	1,916	-	1,916	-	1,916	-	-	-	-
Publicity & Publications	3,272	345,446	1,446,276	1,794,994	512	-	13,807	14,318	2,760	388,626	1,084,707	1,476,094	3,272	388,626	1,098,514	1,490,412	-	-	-	-
Professional Services	-	41,680	-	41,680	-	-	-	-	4,500	46,890	-	51,390	4,500	46,890	-	51,390	-	-	-	-
IT Professional Services	2,665	-	-	2,665	-	-	-	-	2,665	-	-	2,665	2,665	-	-	2,665	-	-	-	-
Attorney General	139	726	-	865	-	-	-	-	139	816	-	955	139	816	-	955	-	-	-	-
Employee Recruitment	742	494	1,135	2,371	219	-	-	219	523	555	1,135	2,213	742	555	1,135	2,432	-	-	-	-
Dues & Subscriptions	135,694	99,249	31,651	266,594	34,040	-	-	34,040	160,520	-	-	160,520	194,560	-	-	194,560	-	-	-	-
Facilities Rent	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fuels & Utilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Facilities Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Medical Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Agency Related S. & S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Intra agency Changes	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Services & Supplies	131,535	337,538	25,724	494,796	98,364	-	-	98,364	12,389	-	-	12,389	110,753	-	-	110,753	-	-	-	-
Undistributed (S&S)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Expendable Prop (\$250-\$5000)	3,706	9,951	14,715	28,372	-	-	-	-	3,706	7,463	3,679	14,848	3,706	7,463	3,679	14,848	-	-	-	-
IT Expendable Property	2,555	-	15,405	17,960	69,796	-	-	69,796	55,527	-	3,851	59,378	125,323	-	3,851	129,174	-	-	-	-
Technical Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Data Processing Software	46,835	-	-	46,835	-	-	-	-	46,835	-	-	46,835	46,835	-	-	46,835	-	-	-	-
Data Processing Hardware	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Indirect	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
911,731	970,644	1,716,603	3,598,977	236,272	122	13,807	250,201	(192,780)	154,236	641,258	1,343,674	2,139,169	(481,204)	119,599	1,68,825	(192,780)	43%	66%	79%	66%
Total Expenditures	2,534,180	1,308,461	2,902,495	6,745,136	949,057	157,034	197,516	1,303,606	1,598,217	866,830	1,783,178	4,248,226	2,547,274	1,023,863	1,980,694	5,551,831	101%	78%	68%	82%
GS&S Ending Balance	-	-	-	1,040,383	-	-	247,641	113,193	134,447	-	134,447	121,353	(13,094)	247,641	0	234,547	-	-	-	-

Strong Motion Instrument Fund

	2019-21 Actual Revenue & Expenditures Other Funds	2019-21 Projected Revenue & Expenditures Other Funds	2019-21 Actual + Projected Revenue & Expenditures Other Funds
Revenue:			
Beginning Balance	276,926	-	276,926
AY 2019-21 Revenue	52,400	-	52,400
Total Available Revenue	329,326	-	329,326
Expenditures:			
Personnel Services	2,612	-	2,612
Services & Supplies	-	-	-
Professional Services:	-	-	-
Total Expenditures	2,612	-	2,612
SMIF Ending Balance	326,714	-	326,714

Mineral Land Regulation & Reclamation (MLRR) Program

Budget Category / Line Item	2019-21 Budget by Funding Source			2019-21 Actual Revenue & Expenditures			Actual Budget Spent			2019-21 Projected Revenue & Expenditures			2019-21 Actual + Projected Revenue & Expenditures			Actual + Projected Budget Total		
	General Funds	Federal Funds	All Funds	General Funds	Federal Funds	All Funds	GF	OF	FF	General Funds	Federal Funds	All Funds	General Funds	Federal Funds	All Funds	GF	OF	FF
Revenue																		
Beginning Balance	-	-	370,374	-	-	227,101	-	-	-	-	-	227,101	-	-	227,101	-	-	-
2019-21 Revenue & Transfers	-	-	2,052,239	-	-	528,127	-	-	-	-	-	1,515,439	-	-	1,515,439	-	-	-
Total Available Revenue	-	-	2,405,613	-	-	755,228	-	-	-	-	-	987,311	-	-	1,742,540	-	-	72%
Expenditures:																		
<i>Personnel Services</i>																		
<i>Services & Supplies</i>																		
Instate Travel	-	-	32,350	-	-	-	-	-	-	-	-	32,350	-	-	32,350	-	-	-
Out of State Travel	-	-	36	-	-	-	-	-	-	-	36	-	-	-	36	-	-	-
Employee Training	-	-	15,758	-	-	5,382	-	-	-	-	10,376	-	-	-	15,758	-	-	-
Office Expenses	-	-	42,086	-	-	3,102	-	-	-	-	11,829	-	-	-	14,930	-	-	-
Telecomm	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Slate Gov't Svc Chg	-	-	39,473	-	-	16,907	-	-	-	-	11,042	-	-	-	27,949	-	-	-
Data Processing	-	-	1,861	-	-	-	-	-	-	-	1,395	-	-	-	1,395	-	-	-
Publicity & Publications	-	-	49,521	-	-	-	-	-	-	-	49,521	-	-	-	49,521	-	-	-
Professional Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	500	-	-	-
IT Professional Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	29,125	-	-	-
Attorney General	-	-	29,125	-	-	-	-	-	-	-	29,125	-	-	-	29,125	-	-	-
Employee Recruitment	-	-	3	-	-	-	-	-	-	-	3	-	-	-	3	-	-	-
Dues & Subscriptions	-	-	310	-	-	-	-	-	-	-	232	-	-	-	232	-	-	-
Facilities Rent	-	-	39,860	-	-	5,700	-	-	-	-	28,500	-	-	-	34,200	-	-	-
Fuels & Utilities	-	-	5,721	-	-	1,068	-	-	-	-	4,653	-	-	-	5,721	-	-	-
Facilities Maintenance	-	-	5,703	-	-	843	-	-	-	-	4,859	-	-	-	5,703	-	-	-
Medical Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Agency Related S & S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Intra agency Charges	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Services & Supplies	-	-	16,374	-	-	-	-	-	-	-	9,444	-	-	-	9,444	-	-	-
Undistributed (S&S)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Expendable Prop (\$250-\$5000)	-	-	2,415	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
IT Expendable Property	-	-	3,398	-	-	-	-	-	-	-	4,985	-	-	-	4,985	-	-	-
Technical Equipment	-	-	9,489	-	-	-	-	-	-	-	9,489	-	-	-	9,489	-	-	-
Data Processing Hardware	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Data Processing Hardware	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Indirect	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<i>Total Services & Supplies</i>	-	-	293,477	-	-	33,001	-	-	-	-	401,118	-	-	-	434,119	-	-	-
Total Expenditures	-	-	1,509,435	-	-	454,812	-	-	-	-	1,222,244	-	-	-	1,677,056	-	-	111%
MLRR Ending Balance	\$	\$	896,178	\$	\$	300,416	\$	\$	\$	\$	(234,933)	\$	\$	\$	65,483	\$	\$	0%

Reclamation Guarantee Fund	
Beginning 2019-21:	613,637
54 Cash Security's	-
Security releases	106,570
4 New Securities	-
Biennium to date:	720,207
58 Cash Security's	\$ 720,207

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Sarah Lewis, MLRR Program Manager

Date: November 25, 2019

Regarding: Agenda Item 10 – MLRR Update

Sarah Lewis, MLRR Program Manager, will provide an update on MLRR.

Please note, the ENGAGE newsletters are found online:

<https://www.oregongeology.org/mlrr/engage.htm>

Proposed Board Action: The Board will not be asked to take an action on this item.

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Sarah Lewis, MLRR Program Manager

Date: November 25, 2019

Regarding: Agenda Item 11 - Grassy Mountain Update

Sarah Lewis, MLRR Program Manager will provide an update on Grassy Mountain.

Proposed Board Action: The Board will not be asked to take an action on this item.

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Bill Burns, Natural Hazards & GIS Supervisor

Date: November 25, 2019

Regarding: Agenda Item 12 - GS&S Update

Bill Burns, Natural Hazards & GIS Supervisor will provide an update on GS&S.

Proposed Board Action: The Board will not be asked to take an action on this item.

Staff Report and Memorandum

To: Chair, Vice-Chair, and members of the DOGAMI Governing Board

From: Brad Avy, Director & State Geologist

Date: December 2, 2019

Regarding: Agenda Item 13 – Director’s Report

Director Avy will deliver his report on the following topics:

- 1) Legislative Budget Notes Progress
- 2) Internal Communication
- 3) GS&S Program Manager Position
- 4) Grants – Internal Approval Process and Strategic Direction/Guidelines

Proposed Board Action: The Board will not be asked to take an action on this item.