

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

**March 9, 2020**  
**8:30 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](http://www.oregongeology.org).

- 8:30 a.m. Item 1: Call to Order** – Chair Laura Maffei
- 8:35 a.m. Item 2: Introductions** – Chair Laura Maffei and staff
- 8:40 a.m. Item 3: Review Minutes of December 9, 2019 and January 10, 2020**  
Board Action: The Board will be asked to take an action on these items
- 8:50 a.m. Item 4: Rule Writing** – Bob Houston, Interim Legislative Coordinator  
Board Action: The Board will be asked to take an action on this item
- 9:10 a.m. Item 5: Legislative Update** – Bob Houston, Interim Legislative Coordinator  
Board Action: The Board will not be asked to take an action on this item
- 9:30 a.m. Item 6: Financial Report** – Dania Ballard, Chief Financial Officer  
Board Action: The Board will be asked to take an action on this item
- 10:30 a.m. Item 7: Public Comment**  
Three minutes limit per person unless otherwise specified at the meeting by the Chair
- 10:40 a.m. Break**
- 10:55 a.m. Item 8: Civil Penalties** – Sarah Lewis, MLRR Program Manager  
Board Action: The Board will be asked to take an action on this item
- 11:05 a.m. Item 9: Grassy Mountain Update** – Sarah Lewis, MLRR Program Manager  
Briefing: The Board will not be asked to take an action on this item
- 11:20 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
- 11:35 a.m. Item 11: GS&S Update** – Bill Burns, Acting Earth Science & Remote Sensing Supervisor and Laura Gabel, Acting Natural Hazards & GIS Supervisor  
Briefing: The Board will not be asked to take an action on this item

- 11:50 a.m. Item 12: Director's Report – Brad Avy, Director**  
Briefing: The Board will not be asked to take an action on this item
- 12:10 p.m. Item 13: Confirm Time and Date for next meeting**  
Board Action: The Board may be asked to take an action on this item
- 12:20 p.m. Item 14: Public Comment**  
Three minutes limit per person unless otherwise specified at the meeting by the Chair
- 12:30 p.m. Item 15 Board Adjourn**

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**PLEASE NOTE**

**AGENDA**

The Board meeting will begin at 8:30 a.m. 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 (7 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 seven (7) 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](mailto: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

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

From: Lori Calarruda, Executive Assistant

Date: March 2, 2020

**Regarding: Agenda Item 3 – Review Minutes of December 9, 2019 and January 10, 2020**

Attached are draft Board Minutes from December 9, 2019 and January 10, 2020.

***Proposed Board Action: The Board Minutes of December 9, 2019 and January 10, 2020 be Approved/Approved as amended/Not Approved.***

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

Monday, December 9, 2019

8:00 a.m.

*Portland, Oregon*

**1) Call to Order:** (Laura Maffei, Board Chair)

Chair Laura Maffei called the meeting to order at 8:06 a.m.

**2) Introductions:** (Laura Maffei, Board Chair and staff)

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

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

Cari Buchner, Mining Compliance Specialist

Bill Burns, Acting Earth Science & Remote Sensing Supervisor

Connor Anderson, Chief Information Officer (CIO)

Belinda Sautao, Grant Accountant

Others in attendance:

Sherry Lauer, DAS Human Resources (HR)

Diane Lloyd, Department of Justice (DOJ)

John Terpening, Legislative Fiscal Office (LFO)

Renee Klein, DAS Office of the Chief Financial Officer

Amira Streeter, Governor's Office Natural Resources Policy Advisor

Courtney Graham, SEIU 503

Brien Flanagan, Schwabe

**3) Review Minutes of September 9, 2019:**

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

Jeremiah had a question about approving the report and not the budget on page 5 and wanted to know if it was still a pending action item. Ballard clarified for FY19 the Agency is still waiting on DAS to process payables and it should be finalized by December 31, 2019.

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

**4) Approval of Annual Director's Evaluation Written Document:**

12 Chair Maffei did not have the document ready for this meeting. She explained she needs to write up  
13 the evaluation done for Director Avy in September based on the minutes and the Board discussion in  
14 Executive Session. The written document will not contain any Executive Session material, only the  
15 statement they made at the open session of the meeting. The document will need to be approved at  
16 the next Board meeting in March or if the Special Meeting is held in January.  
17

18 **5) Confirm Time and Date for Next Meeting:**

19 Chair Maffei stated the next DOGAMI Board is currently scheduled for Monday, March 9, 2020 at  
20 8:30 a.m. in Portland. She confirmed this date is still acceptable for Board members.  
21

22 Maffei gave a heads up that a Special Meeting may need to be scheduled in January to discuss  
23 additional financial requirements such as a potential second year budget and MLRR Fee Increase.  
24 This is in anticipation of the Short Session that begins in February. A discussion took place on  
25 available dates for Board members to determine availability for a potential Special Meeting date.  
26 The Board chose to hold the afternoon of January 10, 2020, starting at 1:00 p.m., for a potential  
27 Special Meeting that all Board members would attend by phone.  
28

29 **6) Rule Writing:**

30 Bob Houston, Interim Legislative Coordinator and Rules Coordinator, discussed four separate rule  
31 writing updates and/or requests that will need to be approved by the Board for further actions.  
32

- 33 1) Update on Service Fees Rulemaking
- 34 2) Update on Permit Boundary Survey Maps Rulemaking
- 35 3) Update of HB 2202: High Value Soils Rulemaking
- 36 4) Request to Initiate Formal Rulemaking on Alternative Dispute Resolution Model Rules

37  
38 **Request 1 – Approval of Service Fees Draft Rule Language**

39  
40 Background: The Oregon Department of Administrative Services has updated the Statewide Policy on  
41 Public Records Request Fees and Charges (107-001-030). At the July 9, 2019 Governing Board  
42 meeting, the Board authorized the Department to initiate rulemaking to amend OAR 632-001-0010  
43 to comply with the statewide policy on Public Records Request Fees and Charges. The proposed  
44 draft amendments to OAR 632-001-0010 were approved at the September 9, 2019 Governing Board  
45 meeting.  
46

47 Houston stated that rulemaking is currently proceeding through the rule writing process. The  
48 Department will provide an update after it has been completed to the Board at an upcoming  
49 meeting.  
50

51 Proposed Board Action: No Board Action Required.  
52

53  
54 **Request 2 – Update on Permit Boundary Survey Maps Rulemaking**  
55

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

59  
60 Houston stated the Department will develop draft rule language in the next few months and provide  
61 an informational update to the Board at an upcoming meeting.

62  
63 Proposed Board Action: No Board Action Required.

64  
65  
66 **Request 3 – Update of HB 2202 – High Value Soils Rulemaking**

67  
68 Background: As you may recall, the legislature passed HB 2202 (2013 Regular Session) involving  
69 aggregate mining on high value farmland in the Willamette Valley (ORS 517.825). The legislative  
70 intent was to make sure operators mined deep enough to remove all the aggregate and thereby limit  
71 impacts on high value soils. The Board authorized the Department to initiate rulemaking on  
72 OAR 632-030 on September 9, 2019 to implement provisions specified in HB 2202.

73  
74 Houston stated the Department is currently developing draft rule language. Steps include identifying  
75 Rules Advisory Committee (RAC) members and convening a RAC meeting(s). The RAC provides input  
76 on substance and language of the rule and provides input on the Fiscal Impact Statement. The  
77 Department will provide an update to the Board at an upcoming meeting.

78  
79 Proposed Board Action: No Board Action Required.

80  
81  
82 **Request 4 – Request to Initiate Formal Rulemaking on Alternative Dispute Resolution – Model**  
83 **Rules**

84  
85 Background: Under certain conditions the Department may modify an operating permit or  
86 reclamation plan without the consent of the operator (ORS 517.831). If the Department modifies an  
87 operating permit or reclamation plan without the consent of the operator, the department must  
88 provide the operator with an opportunity for alternative dispute resolution in the manner provided  
89 in ORS 183.502. Currently, OAR 632-001 does not provide an alternative means of dispute  
90 resolution. The Attorney General’s (AG) Collaborative Dispute Resolution Model Rule is available for  
91 adoption by reference.

92  
93 Staff Recommendation: DOGAMI requests authorization to initiate formal rulemaking on OAR 632-  
94 001 to provide an alternative dispute resolution procedure.

95  
96 Houston explained this is a new request to initiate formal rulemaking on an alternative dispute  
97 resolution, as this issue came up recently. DOGAMI does not currently have an alternative dispute  
98 process, but the AG’s Office does have model rules, which can be adopted by reference.

99  
100 Chair Maffei wanted the background on this request and why staff thinks it is necessary.

101  
102 Diane Lloyd spoke to the statute that allows the Agency to modify an operating permit without  
103 consent of the operator, which requires the Department to provide alternative dispute resolution as

104 an option. There are currently no procedures in place and something needs to be done. She  
105 explained the AG's Office does have model rules that can be adopted without process, the same way  
106 the Board adopted the Contested Case Model Rules.

107  
108 Chair Maffei asked if someone invoked alternative dispute resolution. Cari Buchner explained this is  
109 a preemptive move. The Department has a site they plan to impose a permit condition on  
110 unilaterally and wanted to ensure they provided the opportunity for alternative dispute resolution.  
111 Maffei asked if they know this permit condition is coming. Buchner answered yes, she has been in  
112 contact with them.

113  
114 Jeremiah asked if this was more an administrative aspect of the permit renewal, such as a due date  
115 change, or is it an actual you cannot go beyond this boundary type situation. Buchner responded  
116 that it is a depth of groundwater dewatering and ORS 517.835 gives DOGAMI the authority to impose  
117 conditions for the protection of groundwater resources. This is specifically under that statute,  
118 limiting the depth of dewatering without further study.

119  
120 Maffei asked what the process is for alternative dispute resolution and what is required. Lloyd said  
121 they do not provide full framework just the basics that are needed to submit one.

122  
123 Jeremiah asked if there are any requirements to provide notification when an operating permit is  
124 being amended. Buchner answered as a courtesy they notify them, but there are no statutory  
125 requirements. Jeremiah said this is something DOGAMI may want to look into for fundamental  
126 fairness to permittees, they should have opportunity for a notice. Houston asked for clarification if it  
127 is providing pre-notification or some kind of notification process when the Department is taking a  
128 corrective action or allowing a change to permit condition. Jeremiah said yes.

129  
130 Board Action: **Kozlowski moved to authorize DOGAMI staff to initiate formal rulemaking on OAR**  
131 **632-001 to provide an alternative dispute resolution procedure using the Attorney General's Model**  
132 **Rules. Ashford seconded. Motion carried.**

133  
134 **7) Civil Penalties:**

135 Sarah Lewis, MLRR Program Manager, said, as previously discussed, they have been developing their  
136 Civil Penalty program. Lewis stated this is the first request for authorization to proceed with a Civil  
137 Penalty to assess a fine of \$500 for a late payment on a renewal fee.

138  
139 Lewis introduced Cari Buchner, Mining Compliance Specialist, to discuss the Civil Penalty being  
140 brought to the Board for approval to proceed. Buchner said this respondent has held his permit since  
141 2010, when it was transferred to him, and he has only paid on time once since taking it over. A  
142 permit renewal notice was sent on August 1, 2019, which was due on August 31, 2019. On October  
143 1, 2019, a Notice of Violation was sent out stating he was 30 days late and gave him another 30 days  
144 to pay the renewal. On October 9, 2019 she spoke to him on the phone regarding a separate  
145 compliance issue and reminded him that his renewal was late and could be assessed a Civil Penalty if  
146 it was not paid at the end of the month. October 22, 2019 the Notice of Violation that was sent out  
147 on October 1, 2019 was returned unclaimed. The respondent called and said he did not have the  
148 renewal form because it was sent back, so she emailed him a renewal form that day and reminded  
149 him that he could be assessed a Civil Penalty if not paid by October 31, 2019. On November 14, 2019  
150 a Suspension Order was issued for failure to pay the annual renewal. Buchner called him to inform

151 him they were instating the Suspension Order. On November 15, 2019 he paid the fee to lift the  
152 Suspension Order. She told him a Civil Penalty would be presented to the Governing Board for  
153 approval. Buchner stated he is one of the chronic late payers, which is why they wanted to institute  
154 Civil Penalties for this particular violation. Chair Maffei asked if the Board needs to approve each  
155 one. Diane Lloyd said for the time being yes, since there is no history of DOGAMI doing this process  
156 previously.

157  
158 Ashford asked if this one is being treated differently than any other late payments and asked for  
159 more context. Buchner said a new renewal policy has been implemented when instituting the Civil  
160 Penalties and it was agreed that when calculating the penalties, they will only take into account if the  
161 permittee has paid late at least once in the past 3 years. Depending on the history and circumstance,  
162 a low or medium penalty would be assessed. Ashford clarified that criteria and guidance have been  
163 established for rolling out the Civil Penalties. Chair Maffei stated the structure for assessing Civil  
164 Penalties is new, but the Agency has had the authority and is now actually implementing it; this is the  
165 first Civil Penalty presented to the Board.

166  
167 Lewis stated there were zero late payments for both the July and September renewals, this is the  
168 only one late for August. She believes the penalty program being in place has been excellent  
169 preventative and proactive work on behalf of the Compliance Specialist and the program to get that  
170 word out. Maffei asked how many renewals there were for July, August and September. Lewis  
171 stated the approximate renewals are: July - 100; August - 80, September - 95; October - 110;  
172 November - 65; and December - 55. For the July – September renewals, this is the only late payer.  
173 Buchner said they have chronic late payers who are now paying on time.

174  
175 Jeremiah asked questions about the Board being involved on approval for Suspension Orders instead  
176 of Civil Penalties for late payments. Lewis explained a Suspension Order would not normally be the  
177 next action for late payments. There were other extenuating circumstances regarding compliance  
178 issues that actually brought on the Suspension Order and the renewal was a condition of his current  
179 operating permit and when he failed to pay that, it triggered a Suspension Order because of the  
180 other compliance concerns around the site. Maffei stated the staff have the authority to do a  
181 Suspension Order based on a violation to protect the environment or human health.

182  
183 Buchner explained the respondent had submitted an amendment application to amend his permit  
184 boundary but when they overlaid his survey map, it was apparent he had been mining outside of his  
185 proposed area and it went into State owned lands. He owed the State for the minerals he had sold  
186 and for the trees he had cut down that belong to the Department of Forestry, and now he has to fix  
187 issues with an unstable over steepened high wall, which will require further impacts to State land.  
188 There are other agencies involved with helping him get a plan developed to remedy this situation.

189  
190 Lewis handed out a revised Page 5 of the document, stating Section V was changed to explain the  
191 penalty is being assessed as a single occurrence with the duration of the violation lasting for 15 days,  
192 but does not change the amount of the penalty. She clarified the Board is being asked for  
193 authorization to proceed, not actually approving that specific document.

194  
195 Chair Maffei asked if a reason is known why the Certified Letter was returned. Buchner said his  
196 Certified Letters chronically come back unclaimed.

197



198 Board Action: Jeremiah moved to approve the Civil Penalty with the amendment as presented.  
199 Kozlowski seconded. Motion carried.

200  
201 **8) Financial Report:**

202 Dania Ballard, Chief Financial Officer, presented the budget status report as of October 31, 2019 and  
203 discussed the memo in the Board packet.

204  
205 Ballard said for FY19, DAS has continued to process Accounts Payable and Accounts Receivable and  
206 are still going through the effort. The drop dead date is December 31, 2019. A final fiscal year report  
207 will be presented at the next board meeting in March.

208  
209 Ballard pointed out for General Fund there is currently showing an anticipated negative (deficit)  
210 amount due to capacity and classification issues. Ballard explained there were new grants that  
211 started in July but did not have the financial structure setup, so staff was using General Fund as an  
212 expense account and those charges need to be reclassified and the expense transferred  
213 appropriately to Federal or Other Fund money. The Agency's costs are higher than anticipated so  
214 cost cutting/reduction measures have been established for services and supplies, and limiting travel.  
215 She expects not to have a deficit at the end of the year but to be whole and stay within budget.  
216 Chair Maffei asked questions regarding classification issues and how much it was. Ballard answered  
217 she was not positive but thought it is about \$90,000.

218  
219 Kozlowski asked how the staff is taking the changes. Ballard said she believed the staff are remaining  
220 positive with all the changes and are looking at ways to reduce costs. Her perception is there is a  
221 greater sense of transparency and a greater understanding of what is actually happening, therefore  
222 they are more engaged to help everyone be successful going forward. Avy confirmed the email  
223 regarding General Fund restrictions that was sent to staff, was also sent to Board members.

224  
225 Ashford asked who approves the use of General Fund until the federal grants are setup and if there is  
226 a limit on the amount, to ensure the Agency does not get too far ahead. Ballard stated the approval  
227 process is part of the budget approval and explained the details of how things are currently being  
228 handled. Avy gave a recent example using DAS GEO. The Leadership Team allowed staff to work on  
229 grants using General Fund while the Agency was awaiting the signed document, but it was based on  
230 an email approval from DAS GEO saying the requested changes of no match and allowing indirect  
231 charges were going to be accepted.

232  
233 Chair Maffei asked if the signed agreement needs to be received before work can be started or  
234 accounts setup. Ballard explained how the process works. Kozlowski asked if training and travel are  
235 being added to the grants and are there other charges that will be charged to General Fund. Ballard  
236 said that some items can be added to a grant if it is expected to be part of the grant work. She also  
237 gave an example of Houston charging his travel to General Fund due to the Agency needs. Kozlowski  
238 asked if there are any plans in place to prioritize the approval of travel and training charged to  
239 General Fund. Ballard explained the requirement to reduce all costs and that no travel is being done  
240 at this time and any exceptions are being reviewed carefully by Director Avy before any justification  
241 is approved. Ballard provided an example, stating the Board only has coffee and water today, where  
242 last meeting included food.

243

244 Ashford said he is happy with the process, that it seems clean, and asked in the future for someone  
245 new working for the Agency that more oversight is provided on charges.  
246  
247 MLRR is projecting an ending balance of \$65,000, which is low due to the Calico settlement being less  
248 than anticipated and the fee increase has not been done yet.  
249  
250 The Strong Motion Instrument Fund is about \$326,000, which is normal. The Reclamation Guarantee  
251 Fund added four new cash securities, so the balance is about \$720,000.  
252  
253 Ballard said Jack Kenny is still here at the Agency working on the mandatory grant reporting  
254 requirements. All the overspent grants that were identified in FY19 have been closed. Kozlowski said  
255 she really appreciates the summary report memo that contains the details with the backup.  
256  
257 Ballard discussed the Business Office recruitment. She introduced Belinda Sautao, the Agency's new  
258 Grant Accountant, who started today and came from DEQ, where she spent 5 years. Sautao  
259 introduced herself. She originally came from Alaska and worked with the State there as well. She  
260 was a Contracts and Grant Accountant at DEQ. Maffei asked what her role will be. Ballard explained  
261 she will take over the grant reporting and the monthly project financials for project managers to keep  
262 things on budget, and processing the payables. [Ms. Sautao decided to return to DEQ.]  
263  
264 Jeremiah asked what the additional overall spend is for the new staff and the DAS Services used.  
265 Ballard explained that each business office staff person is about \$7,500 per month and about \$22,000  
266 per month General Fund consumption which is built into the projections going forward. She said Jack  
267 Kenny will drop off around the end of December. DAS services will also be reduced. These roles will  
268 be key to ensure the Agency does not go overbudget.  
269  
270 Jeremiah asked about the \$650,000. Ballard explained the Agency received an additional \$650,000 of  
271 General Fund in FY19 to cover budget overspend and the entire amount has been consumed.  
272 Kozlowski asked about the need for reducing the number of employees to cover the new positions.  
273 Ballard explained in FY19 the Legislature reduced positions on the science side that helped free up  
274 General Fund to help support the Business Office.  
275  
276 Ballard said they interviewed for a Contract and Procurement Specialist, made an offer, and is  
277 expecting an answer back today. They also did second-round interviews for the Fiscal Analyst role  
278 and are facilitating reference checks. Maffei asked what the positions do. Ballard explained the need  
279 for internal controls and to have one person that pays expenses and one that receives the funds; one  
280 person should not do both. The Grant Accountant processes all the grant reporting and the paying of  
281 the bills. The Contract and Procurement Specialist will draft the contracts, working with other  
282 agencies and partners to write the contracts, administering the contracts while assuring the project  
283 manager is getting a project done according to the terms of the contract. The contract person is  
284 going to be looking at the key delivery dates, key pay points, key pieces and actually produce the  
285 invoicing, which is an accounts receivable function to ensure the Agency gets paid on the contracts,  
286 and facilitating other accounts receivable activities. Jeremiah asked if this is a permanent plan or just  
287 to get the Agency over the rough spot. Ballard replied it is permanent. The Fiscal Analyst oversees  
288 everything else regarding the Agency's needs, including ad hoc analyses, analyses on project budgets,  
289 and to develop strategy to ensure that grant seeking matches personnel skill capacity.  
290

291 Ballard explained the Fiscal Analyst position and their role in more detail. Maffei asked if this person  
292 will help determine if grants should be gone after. Ballard said they can help facilitate it, but the  
293 Agency already has created a tool to help with this aspect.  
294

295 Jeremiah asked if there is a comparable agency that DOGAMI could look to, what is their ratio, and  
296 are they running successfully. She said she was having a hard time swallowing the ratio of people.  
297 She understands the need and understands the Agency got into big trouble and that it has to do  
298 something to fix it. Jeremiah said for her to swallow this as a permanent plan just seems like a lot of  
299 overhead for an agency and she is looking at the deficit the Agency is trying to cover. She feels like  
300 the Agency is limiting the amount it can do, just so that it can have proper financial controls in place  
301 that maybe could be done by fewer people.  
302

303 Ballard replied she thinks it is a great observation and just on the surface it appears top heavy. One  
304 of the things that is unique about DOGAMI, in particular as a small agency, is the amount of grants it  
305 has to have in order to actually survive. Last year and the year before last, when they were looking at  
306 comparisons, there is not a small agency who has the level and volume of grant activity that DOGAMI  
307 has, and so that was one of the justifiers to actually get this grant position in place. Doing a straight  
308 comparison from another agency to DOGAMI is difficult. She said there is somewhere between 35  
309 and 40 active grants the Agency has right now. Most people who facilitate grant activity do not have  
310 35 to 40 grants to actually manage, but this is what is needed for this Agency. With that being said,  
311 this is a case of room for improvement in anything the Agency does, and they are going to do their  
312 best to look at how they can make things more efficient as they go. She does not know what the  
313 future is going to look like as a whole, but this is what is needed to make the Agency work now.  
314

315 Ashford said he would hate the Agency to be in a position where it needs to go after grants to cover  
316 the costs of the new grant staff salaries. Kozlowski said she appreciates Jeremiah's question and her  
317 understanding is the Agency has changed the financials from a less than adequate financial oversight  
318 to a really strong financial oversight, that the Legislature has required of DOGAMI and does not  
319 believe there is much choice. She does think moving forward it will be important to balance it, but  
320 keeping the finances accurate and the Legislature in support of DOGAMI is critical. In addition,  
321 Kozlowski said the Agency needs to be really careful about ensuring the financial information is  
322 accurate and it has the personnel to make sure that it is. Ballard said she agreed with the statement,  
323 saying the Agency is still building the foundation to determine what the appropriate monitoring  
324 requirements will be, not just the accounting process. Maffei stated the staffing is required by the  
325 Legislature. Jeremiah said as a temporary plan she is behind it but not necessarily as a permanent  
326 plan.  
327

328 Chair Maffei said certainly the Agency does not want to end up on the short side of Business Office  
329 capacity, but thinks what is sometimes missed in all this discussion is, if DOGAMI has sufficient  
330 capacity not to get in trouble, it in effect is bringing in a third of the Agency's budget through federal  
331 grants. Which is money that is not coming out of the State General Fund. She views it a little bit as  
332 an investment, and a little higher investment in the General Fund in order to get the return on all  
333 that federal work, which is a good check of the work the Agency does and an important part. She  
334 said will the Board want to monitor it ongoing, absolutely. If the Agency ever gets to a point where  
335 the Board feels like it is overstaffed in the Business Office, they can then address that. Maffei stated,  
336 that as Kozlowski already said, DOGAMI is kind of required to do this by the Legislature anyways, so it  
337 is not like the Agency has a whole lot of choices.  
338

339 Jeremiah said she is just now concerned to have it be permanent if reading it correctly between the  
340 divisions, the Agency's revenues as a whole are \$6, 7, 8 million for the whole Agency and looking at it  
341 from a business standpoint, to have four finance staff FTE to manage \$8 million seems excessive as a  
342 permanent plan. As a temporary plan she is in full support. She just hopes that the Agency can right  
343 the ship and then continue to reevaluate whether it is really necessary. Kozlowski agreed that it  
344 makes sense.

345  
346 Ballard discussed the Grant Budget Monitoring Tool and how it works. This tool has helped them  
347 identify gaps and meet the capacity needs. This also helps facilitate what the Agency goes after for  
348 work. Kozlowski asked who is tracking it. Ballard said the supervisors, herself and DAS CFO. Ballard  
349 talked about using the tool for the monthly meetings with project managers.

350  
351 Ashford stated they only used about half the time to discuss the financial report and appreciated the  
352 efforts Ballard has been making. Chair Maffei agreed, stating the summary memo is helpful.

353  
354 Board Action: **Jeremiah moved to accept the Budget Status Report as presented. Kozlowski**  
355 **seconded. Motion carried.**

356  
357 **Break**

358  
359 **9) Public Comment:**

360 Chair Maffei asked for public comment.

361  
362 Comment of Amira Streeter, Governor's Office Natural Resources Policy Advisor: Streeter said she  
363 wanted to give a little preview of the Strategic Plan they are thinking of in the Governor's Office. It  
364 includes multiple options and alternatives they are considering right now. A letter will need to be  
365 turned in highlighting the direction they are going for the Agency by January 17, 2020, and will  
366 include a few more details. She said it is a little tricky since DOGAMI is making a lot of progress now.  
367 They are balancing the progress DOGAMI has made with what else the Agency needs to be successful  
368 in both the long-term and short-term future. Streeter stated DOGAMI's current main mission is to  
369 provide earth science information and regulation. She does not think there will be changes to that  
370 aspect but in doing research on DOGAMI, she stated there have been a lot of ups and downs in the  
371 Agency's history from its first inception with a State Geologist. She thinks the vision may require a  
372 rebranding of the Agency and aligning the Department more towards the science side. She discussed  
373 the potential plan and the amount of funding needed to be successful. Other alternatives include  
374 possibly moving the Agency closer to Salem.

375  
376 In recent years, natural hazards and risk assessment have been the growing core work for DOGAMI.  
377 DOGAMI currently has a Strategic Plan that ends in 2021, so this is actually very good timing. The  
378 Strategic Plan would go on for 6 years from 2022-2028.

379  
380 Streeter said she divided up the alternatives into Plan A and Plan B. Plan A being DOGAMI continues  
381 as usual in its structure, with just maybe a few tweaks in how it operates. Potential for right sizing is  
382 something that is being discussed right now considering what is the amount of funding that DOGAMI  
383 really needs to be successful and how does that impact the types of grants it goes after, the staff and  
384 professions that are within the Department. Then to potentially move the offices to be closer to

385 Salem or in Salem; helping keep the Agency whole with right sizing and closer to other agencies in  
386 Oregon's capital.

387  
388 Under Plan B, it is possible that DOGAMI could move under another natural resource agency. An  
389 alternative would be to move the mining program into an agency and the GS&S portion into a natural  
390 resource agency or university. Streeter said this is the broad overview and she would love to know  
391 the Board's perspective and to get their feedback. In the past, around 5 years ago during Kitzhaber's  
392 administration, this last alternative had been considered.

393  
394 Chair Maffei said it was actually almost exactly 5 years ago because it was early December 2014, the  
395 Governor's Budget came out with the suggestion that DOGAMI was going to be disbanded and she  
396 thinks people got a little freaked out.

397  
398 Streeter said no decisions have been made at this point, but these are the things that are brewing in  
399 their office.

400  
401 Chair Maffei said for the record, she met with Streeter in October to provide her perspective/input  
402 and she sent out a note to the rest of the Board to invite them to contact Streeter to discuss strategic  
403 planning for DOGAMI and provide their input as well. Maffei asked when Streeter thought she would  
404 have an idea of when a recommendation by the Governor's Office would be made for the January  
405 17th letter. It was decided she would provide an update to the Board if they held a Special Meeting  
406 on the afternoon of January 10, 2020.

407  
408 Streeter provided more context as to why she was thinking about these alternatives. In looking at  
409 what has been discussed in past years with DOGAMI, plus looking at what other states are doing and  
410 which state has a model that is an easier jump from where DOGAMI is now. Of other states,  
411 including Washington, Idaho, and California, California has a Department of Natural Resources,  
412 where geology is under their purview. Washington is university connected, and Idaho is connected  
413 with the university as well, but their structure is very similar to what DOGAMI is currently doing. She  
414 is taking a really close look at Idaho.

415  
416 Jeremiah asked if the January 17th letter will be the definitive selection of a plan and the direction  
417 the Governor's Office is going with the other options no longer to be considered. Streeter said it will  
418 be the direction the Governor's Office will go to present to the Legislature, but there is room for  
419 conversation and could be changed by the Legislature. Jeremiah said her concern is that the Agency  
420 is going down the route of planning for Alternative A and has expended significant State resources  
421 and has a plan in place to expend further resources to make that work. The Agency seems  
422 committed and everyone in the room has agreed to that plan. Jeremiah has grave concerns about  
423 the carpet to be threatened to be pulled out from underneath it before there is even traction on that  
424 plan. Let it go in the one direction and let the agency get stable. Jeremiah does not want to speak  
425 for people who know more than she does about how long that is going to take, but she feels like  
426 every time the Agency thinks it gets somewhere there is a shift of direction, so it never gets traction  
427 with the plan and it just seems very wasteful to continue to change directions. She said it was noted  
428 regarding staff retention and it becomes really difficult when there is constant uncertainty.

429  
430 Streeter said she really appreciates that comment, and that is why she labeled it as Plan A. She wants  
431 to get the agency stable as well but thinks in terms of presenting to the Legislature they would  
432 appreciate the range of alternatives.

433  
434 Kozlowski asked Streeter if she is going to present all four alternatives to the Legislature or select a  
435 preference. Streeter replied she will select a preference.  
436  
437 Kozlowski asked how will the DOGAMI Board have any input on that, or if there will be any  
438 conversations around it. Streeter said she was not sure how that will work, besides just talking to  
439 her. She will figure that out.  
440  
441 Kozlowski said if she understands it, that they are looking at this from a 30,000 foot point of view. A  
442 movement more towards the science, maps and publications and moving away from mining, the  
443 mining industry and asked if that is correct. Streeter replied yes, but moving it away from the mining  
444 aspect is not exactly what she meant. Kozlowski asked if she meant deemphasizing. Streeter  
445 answered yes.  
446  
447 Kozlowski said she really agreed with Jeremiah in terms of where the Agency is now. She thinks it has  
448 made huge progress. She and Streeter have had conversations particularly around staffing and the  
449 commitment of staff to make these changes which has been significant. She hopes there is a way for  
450 the Board to have some input in this process, because they work with it a lot and she thinks they  
451 know a lot about the flaws and the strengths of the Agency. The change over this last six months to a  
452 year has really been significant, and people have stepped up and put systems in place to make sure  
453 that we move forward.  
454  
455 Streeter stated yes, it definitely seems like it, and also being given a 1-year budget, DOGAMI is now  
456 starting to really get on track and it is almost like a 6-month progress report.  
457  
458 Kozlowski asked if the 2022-2028 is like Step 1 of beginning that Strategic Planning process. Streeter  
459 said yes. Kozlowski reiterated again that it would be great if the Board could have some input into  
460 that process.  
461  
462 Streeter said she did not know how the Strategic Plan was developed the first go around, but she will  
463 talk to Avy about that and figure out what the process would be to inform a new one.  
464  
465 Avy said it was already in place when he came into the Agency, but his understanding is an outside  
466 consultant was engaged to create it and that it included input from outside stakeholders. Maffei  
467 explained it was adopted in 2015/2016 so it was already well on its way in 2014 when she joined the  
468 Board. It was developed by a consultant and Ali Ryan led the process. The Agency does not have a  
469 public outreach person now, so it would have to figure out how that would work. The information  
470 was presented to the Board, the Board gave feedback, there were a number of iterations. She also  
471 understands the document they came up with was not a strategic plan, because there is not really a  
472 plan, it was a strategic vision and this time around the Agency needs to actually have a plan to go  
473 with it. Avy said it was changed/renamed from a plan to a framework. The reason for that was it did  
474 not have implementation items. The Agency had started down that path when Ryan took another  
475 position and then DOGAMI lost Ryan's position. Maffei said it is a lot of work to come up with an  
476 actual plan with implementable action items that go into it, but it is something this Board is going to  
477 have to take on if they want to have it ready for 2022.  
478  
479 Jeremiah said just to be blunt she thinks the other piece that needs a lot of reflection on is the path  
480 the Agency took to get to the financial position that it was in. It is her understanding it was a

481 personnel issue and making all these dramatic changes does not necessarily prevent future personnel  
482 issues. She does not think it was really an Agency structure issue, and so in her opinion she thinks  
483 that they can spend all kinds of money going and changing direction to any of the other three  
484 alternatives, but it does not guarantee that they are going to continue to solve the same problem  
485 that it had before. Because you had the problem, it was resolved, and then you had it again.  
486

487 Chair Maffei replied it was not fully resolved, but because the issue with the Agency is in the last 10  
488 years. She said she does not share with the Board all the emails she gets from people saying, "Hey  
489 this was never like this in 1999." She is thinking because everything was different in 1999. But when  
490 the Agency switched over from being mostly General Fund to relying so heavily on grants, it changed  
491 everything, and it has taken 10 plus years for them to figure it out. When you are a General Funded  
492 agency, you have to keep track of your budget, but General Fund is a much bigger pot of money.  
493 Keeping track of the grant spending has been something the Agency had not done very successfully  
494 until recently.  
495

496 Kozlowski asked if the percentage of grants that DOGAMI has been relying on to fund the Agency  
497 increased significantly. Maffei answered the amount of money that the grants fund has, the actual  
498 dollars, plus the number of grants. She said the Board has heard it many times in these Board  
499 meetings, DOGAMI is just not like other agencies at all and so they know it has been an ongoing  
500 problem. It is something the Agency thought it solved in 2015/16 but clearly that was not the case.  
501 She thinks it is because it took the microscope that DOGAMI has had on it for the last 6 months to  
502 really figure out and inherently know what the problem was. She thinks it was the same problem the  
503 Agency had in 2014 and they put a band aid on it, but it did not fully solve it.  
504

505 Jeremiah responded that moving the Agency into another agency is not the same and it does not  
506 solve the problem. Maffei said DOGAMI is still going to need grant money. The scientists are still  
507 going to be funded by grants. Jeremiah said in her opinion it further complicates it. Where the  
508 Agency has a pretty clear path forward, with a lot of smart people who put their efforts into making  
509 sure that it is setup for success, she has great concerns about compounding it.  
510

511 Chair Maffei said another thing is that the sciences done in this Agency are not like the sciences done  
512 in neighboring states. She does not know about California so much, but Washington and Idaho do  
513 not have the same level, she thinks, of scientific brain power that DOGAMI does here. She said  
514 Washington hired DOGAMI's lidar people because it was an issue that they do not have the same  
515 capacity to do what the Agency does, and so it is inherently different from some of the neighboring  
516 states.  
517

518 Kozlowski asked for the last Strategic Plan, how much did the Agency partner with the Governor's  
519 Office. Maffei said she did not think there was a whole lot of back and forth with that. She did not  
520 remember specifically, she was just coming new on the Board. It was drinking from a firehose  
521 anyway, but she does not think there was a ton of communication with the Governor's Office at that  
522 time. Kozlowski said she thinks that partnership would be really important.  
523

524 Avy asked Streeter, if you look at the budgeting process, when the Governor endorses a particular  
525 budget, everybody is to support that in agency land. He asked once she makes her recommendation  
526 to Ways and Means what latitude does the Board have to weigh in at that point.  
527

528 Streeter replied there is expectation that the Board will come in line with the Governor's Office. She  
529 is not sure what the Board's participation is on advocating for a budget or even engaging with the  
530 Governor's Office. She thinks this is a very special case, so there may be more opportunity than in  
531 the past and she would love to just follow-up with Board members and give them a better  
532 understanding of where they can. She stated this is already really helpful.

533  
534 Jeremiah asked for Ashford's input on incorporating the Agency into a university. Ashford said the  
535 universities have the strong research focus, so grant work is done at many of them, but their budgets  
536 are being tightened and is concerned there would be a false belief of cost savings by this choice. He  
537 thinks there would be a high potential for loss of technical staff of moving it to Salem and that  
538 Portland is a better area for qualified staff. He asked if there are other agencies that could do the  
539 MLRR regulation work, because the work they do is very important.

540  
541 Ashford said his thoughts mirror/echo the other Board members about all the work and progress  
542 being made by the Agency and it speaks well to its direction.

543  
544 Teeman said it was a little overwhelming and there are a lot of questions and detail that are still not  
545 available.

546  
547 Kozlowski brought up the statewide meetings being held for HB 3309 and asked Streeter to reflect on  
548 what she has learned and her thoughts. Streeter said she has been getting good feedback about  
549 DOGAMI doing an excellent job of consulting with different communities and doing work to help  
550 them be tsunami prepared. But there is still a lot of work that needs to be done in terms of cross  
551 coordination with different entities, municipalities, agencies, and community groups. She thinks  
552 there is opportunities for legislators and the Governor's Office to also co-collaborate and do different  
553 things to help coastal communities. Work is being done but needs to be coordinated better.  
554 Kozlowski asked if a report will be generated after the third meeting that discusses the outcomes and  
555 perceived next steps. Streeter answered yes.

556  
557 **10) MLRR Update:**

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

559  
560 [Lewis handed out a packet that included the ENGAGE Winter newsletter being sent out and can also  
561 be found online: <https://www.oregongeology.org/mlrr/engage.htm>]

562  
563 Permit Status Summary

564 Lewis reviewed the detailed list of permits. There are 24 current applications, and they have reduced  
565 the amount of time it takes to process them. It is taking less than a year to complete these, with the  
566 average time being about 8 months. She gave kudos to Nick Tatalovich, Vaughn Balzer, Ben Mundie  
567 and Bob Brinkmann for getting the sites through the permitting process in a timely manner.

568  
569 Lewis stated this quarter there was a shift away from transfer applications to new applications; this is  
570 common as they enter the winter timeframe where quarry operations and mining operations slow  
571 and close for the winter depending on their permits. Some permittees shift to start working on new  
572 projects or amending current projects during this time.

573



574 Lewis said that compliance actions related to late payments are down. The graph also reflects the  
575 fluctuation of the program's revenue based on permit renewal and production fees. This introduces  
576 some variability into the monthly revenue stream, which is one reason why it is important to have a  
577 cushion from year to year.

578  
579 Lewis briefly discussed the compliance actions being worked on. The focus for Civil Penalties is on  
580 non-payment of fees and those mining without a permit. Jeremiah asked what the process is for  
581 identifying those. Buchner answered they use a lot of tools including aerial imagery review and  
582 complaints. There is a lot of investigation done to determine if it falls within MLRR's jurisdiction or is  
583 covered by another agency. Then a Notice of Action is provided to them that asks for a response for  
584 information on their activities, which include whether they are exempt, will be applying for a permit,  
585 or will cease mining. This is the program's first step in compliance of asking nicely first and if no  
586 response then escalating to a Notice of Violation. If no response after that, then a Civil Penalty may  
587 be appropriate.

588  
589 Lewis discussed the new Winter newsletter that went out last week. Staff have been working to  
590 include information on topics they get a lot of phone calls and questions about or where they feel  
591 there are miscommunications or misunderstandings and want to address.

592  
593 Lewis informed the Board that DOGAMI has signed a new Memorandum of Agreement (MOA) with  
594 DEQ regarding the Delegation of Authority for the Stormwater Permit program. It has been updated  
595 to reflect current expectations and practices of how things are being done. DOGAMI will be receiving  
596 5% more of the DEQ fees for administering the program and it increases 3% every year. Chair Maffei  
597 wanted to clarify that the fees are paid to DEQ and then DOGAMI is paid for administering the  
598 program, through this agreement. Lewis answered yes. Kozlowski asked how much the fee is. Lewis  
599 said there are different types of permits and did not want to misspeak the amounts, but it covers one  
600 staff member's salary for a year.

601  
602 Lewis shared that as part of the KPMs for Customer Service, MLRR received 49 responses, with 18  
603 people leaving comments and 17 of them being positive. She stated the program is getting positive  
604 feedback even though changes are being made that require more of the permittees and applicants.  
605 She read three of the comments to the Board.

606  
607 Comment 1: "Excellent, dedicated, brilliant staff that are always responsive and a pleasure to work  
608 with."

609  
610 Comment 2: "Sometimes I do not get the answer I think is right, but it is delivered professionally and  
611 without prejudice."

612  
613 Comment 3: "While I did not apply for a permit this year, I've had some operators apply for mining  
614 activities on property I manage. They all said they were pleased with the service they received.  
615 Personnel with the Agency were willing to accomplish the many complicated tasks required, with skill  
616 and good communication."

617  
618 Briefing: **No Board Action Required.**

619  
620 **11) Grassy Mountain Update:**

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

622  
623 Lewis said they had been working with Calico to come up with a settlement agreement that was  
624 signed in September. A Cost Recovery Agreement was signed with Calico on November 14, 2019 and  
625 the Agency received final payment the same day. On November 15, 2019 a Consolidated Permit  
626 Application for the Grassy Mountain Project was received via hand delivery. She discussed the  
627 Consolidated Permit Application process, which DOGAMI has 90 days to determine if it is a complete  
628 application. The entire application is posted on the Agency website for anyone to review. She has  
629 been receiving excellent cooperation from the partner agencies also responsible for contributing to  
630 the completeness review. There are cost recovery partners that include the Department of  
631 Environmental Quality (DEQ), Water Resources Department (WRD), and Department of Fish and  
632 Wildlife which have important roles in the review process. DEQ and WRD have individual permits the  
633 applicant is submitting to them directly. DOGAMI is responsible for overseeing the entire process  
634 and ensuring the process is followed appropriately. Lewis is utilizing inhouse staff as much as  
635 possible. The Agency will be contracting out services for project management, meeting facilitation,  
636 meeting minutes, and compilation of both public and technical comments which will be returned to  
637 the applicant. The deadline for all that is February 19, 2020. This is just the beginning of the process  
638 and she is looking at recruiting for a Project Manager, which will be a technical position focused on  
639 chemical process mining.

640  
641 Kozlowski asked if Lewis felt they would meet the timelines outlined. Lewis said yes. Maffei asked  
642 Lewis how much of her time is spent on this project compared to managing MLRR. Lewis answered  
643 about 50% since receipt of the application.

644  
645 Lewis said they are also working on an MOU with Calico for establishing expectations and  
646 communications around project reporting and management.

647  
648 Lewis noted that a lot of the permit specific work will be handled by DEQ. There are important  
649 permits that need to be in place and are administered by DEQ. MLRR will have an aggregate permit,  
650 and will write the overall permit and the permit conditions.

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

652

653  
654 **12) GS&S Update:**

655 Bill Burns, Acting Earth Science & Remote Sensing Supervisor, provided an update on GS&S.

656  
657 Burns discussed general staffing, saying John Bauer left the Agency in October, which means two  
658 staff have left on their own accord since the layoffs. Most of the staff are at capacity working on  
659 externally funded projects reducing the General Fund burn, and the stress felt in the Department.  
660 Kozlowski asked if Bauer's work has been reassigned. Burns said yes.

661  
662 Burns stated the lack of a Program Manager and Business Office staff/capacity continues to make  
663 effective project management difficult. The current supervisors will be kept on for the near term to  
664 keep things stable. The email from Director Avy regarding the reduction of expenses and general  
665 direction for DOGAMI was well received by staff. He believes this is because a combination of an  
666 email being sent out and then an in-person discussion took place to answer questions.

667

668 Burns said work on existing proposals, projects and publications is getting done, despite the loss of  
669 the two staff members. He is continuously impressed by the staff with their efforts. He went over  
670 the list of new projects, publications and proposals since September's Board meeting.  
671

672 Projects:

673 **Compilation of Statewide Tsunami Data; Interagency Agreement: \$86,151; Funder: DAS GEO**  
674 To develop new statewide tsunami spatial geodatabases of Oregon tsunami modeling data. The  
675 project proposes to integrate existing disparate tsunami datasets into a suite of standardized  
676 geodatabases. An Open File Report (OFR) describing the data will be published along with the  
677 data.

678  
679 **Oregon Coast Watershed Boundary Dataset (WBD) Lidar Derived Feature Update; Interagency**  
680 **Agreement: \$113,348; Funder: DAS GEO**  
681 Sixteen subbasins for the Oregon Coast and Klamath Basin will be updated in this project. This  
682 fundamental dataset is used to maintain many other framework elements with many areas that  
683 are deficient with respect to spatial accuracy.

684  
685 **Statewide Building Footprints Project; Interagency Agreement: \$119,441; Funder: DAS GEO**  
686 Aggregate all building footprint datasets within the state of Oregon into a single dataset. For  
687 areas with redundant building footprint coverage, data quality will be determined based on  
688 mode of digitization and source data quality and age. The aggregated dataset will serve as a  
689 "starting point" from which a workgroup can direct future efforts of data improvements and  
690 attribution.

691  
692 **Oregon Earthquake Database; Interagency Agreement: \$107,927; Funder: DAS GEO**  
693 The purpose of this project is to develop an updated, maintainable statewide earthquake  
694 hazards geodatabase for Oregon which combines the best available earthquake and co-seismic  
695 geohazard data that are derived from a consistent methodology.

696  
697 **Technical Assistance and Outreach Support of FEMA Risk Map in Oregon; Federal Grant:**  
698 **\$57,304; Funder: FEMA**  
699 The purpose of this project is to provide technical assistance at FEMA meetings: Discovery,  
700 Resilience, NHMP.

701  
702 **Baker, Grant, and Clatsop NHMP; Interagency Agreement: \$10,080; Funder: DLCD**  
703 DLCD requests publication assistance and expertise for Natural Hazards Mitigation Plan (NHMP)  
704 documents being prepared for 1) Baker and Grant Counties and 2) Clatsop County. Deb's tasks  
705 are to 1) train DLCD staff in use of the DLCD style and template, in the format developed  
706 previously by DOGAMI and DLCD, 2) consult as needed during the DLCD writing process, and  
707 3) copy edit the documents as described in the Project Estimate.

708  
709 **Oregon State NHMP; Interagency Agreement: \$30,000; Funder: DLCD**  
710 DLCD requests publication assistance and expertise for the Oregon State Natural Hazards  
711 Mitigation Plan (NHMP).

712  
713 **Grant & Baker Natural Hazards Risk Assessment; Interagency Agreement: \$34,000; Funder:**  
714 **DLCD**

715 DLCD requests DOGAMI to perform natural hazards risk assessments for Grant and Baker  
716 counties.

717  
718 **Natural Hazard Risk Assessment for State-owned Buildings; Interagency Agreement: \$20,000;**  
719 **Funder: DLCD**

720 The Oregon Department of Land Conservation and Development has asked DOGAMI to conduct  
721 natural hazard risk assessments for the state-owned buildings with the state for their FY2020  
722 Oregon Natural Hazard Mitigation Plan grant. Updating the state-owned buildings dataset,  
723 identifying those which are critical facilities, and producing hazard maps and table of results are  
724 the primary tasks involved in this project.

725  
726 Publications:

727 **Preparing for Landslide Hazards, A Land Use Guide for Oregon Communities**

728 By Sears, T.R., Lahav, M., Burns, W.J., McCarley, J., 2019. Oregon Department of Land  
729 Conservation and Development (DLCD), [https://www.oregongeology.org/Landslide/Landslide-](https://www.oregongeology.org/Landslide/Landslide-Hazards-Land-Use-Guide_FINAL.pdf)  
730 [Hazards-Land-Use-Guide\\_FINAL.pdf](https://www.oregongeology.org/Landslide/Landslide-Hazards-Land-Use-Guide_FINAL.pdf)

731  
732 **Post-fire rockfall and debris-flow hazard zonation in the Eagle Creek fire burn area, Columbia  
733 River Gorge, Oregon: A tool for emergency managers and first responders**

734 By Calhoun, N.C., Burns, W.J., Hay, S., Staley, D.M., Kean, J.W., 2019., Proceedings of the  
735 seventh international conference on debris-flow hazards mitigation, Golden, CO, USA, June 10-  
736 13, 2019. <https://dfhm7.csmspace.com/docs/DFHM7ProgramFull.pdf>

737  
738 **Tsunami evacuation analysis of Newport, Lincoln County, Oregon**

739 By Laura L. S. Gabel, Fletcher E. O'Brien, and Jonathan C. Allan, DOGAMI Open-File Report O-19-  
740 05, Preview: <https://www.oregongeology.org/pubs/ofr/p-O-19-05.htm>

741  
742 **Tsunami evacuation analysis of Lincoln City and unincorporated Lincoln County: Building  
743 community resilience on the Oregon coast**

744 By Laura L. S. Gabel, Fletcher E. O'Brien, John M. Bauer, and Jonathan C. Allan Open-File Report  
745 O-19-06, Preview: <https://www.oregongeology.org/pubs/ofr/p-O-19-06.htm>

746  
747 **Tsunami evacuation analysis of communities surrounding the Coos Bay Estuary: Building  
748 community resilience on the Oregon coast**

749 By Laura L. S. Gabel, Fletcher E. O'Brien, John M. Bauer, and Jonathan C. Allan Open-File Report  
750 O-19-07 Preview: <https://www.oregongeology.org/pubs/ofr/p-O-19-07.htm>

751  
752 **Tsunami evacuation analysis of some unincorporated Tillamook County communities: Building  
753 community resilience on the Oregon coast**

754 By Laura L. S. Gabel, Fletcher E. O'Brien, John M. Bauer, and Jonathan C. Allan Open-File Report  
755 O-19-08, Preview: <https://www.oregongeology.org/pubs/ofr/p-O-19-08.htm>

756  
757 **The Scarp Identification and Contour Connection Method (SICCM): A Tool for Use in Semi-  
758 Automatic Landslide Mapping**

759 By Michael Bunn, Ben A. Leshchinsky, Michael J. Olsen, Nancy C. Calhoun, Jon J. Franczyk, and  
760 William J. Burns. Special Paper 52 Learn more and download the publication from the preview  
761 link. <https://www.oregongeology.org/pubs/sp/p-SP-52.htm>

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Proposals and Potential Projects:

**National Tsunami Hazard Mitigation Program (NTHMP) FY20; Federal Grant: \$400,000; Funder: NOAA**

To maintain local outreach programs and coordinate mitigation actions, state leadership is critical for focusing support on communities most in need of help and providing a central repository for tsunami mitigation information. DOGAMI and OEM work in partnership to provide the needed leadership and strategic support critical for building resilient coastal communities on the Oregon coast.

**Oregon Coast Resilience Plan; Federal Grant: \$400,000; Funder: OEM-State Homeland Security Program**

The goal of this proposed project is to produce an Oregon Coast Resilience Action Plan to guide future development of a coastwide Cascadia disaster “infrastructure backbone”. The Plan would build on work completed for the Oregon Coastal Hospital Project that supported the eleven coastal hospitals to effectively plan for Cascadia earthquake disasters to improve the reliability of medical services. This project would also help protect Oregon’s major coastal communities.

**STATEMAP FY20; Federal Grant: \$300,000; Funder: USGS**

Geologic mapping in the Walla Walla Basin, northeast Oregon approved, funded by OWRD, and started. Will be rolled into STATEMAP program for FY20 and remaining OWRD state funds used as the program match component. Maps produced from this project will be submitted as FY20 STATEMAP deliverables. Project proposal also includes continued mapping in the mid-Columbia, Harney, and the Prineville area.

**South Coast Lidar; Federal Grant: Up to \$3M; Funder: BLM**

DOGAMI anticipates BLM to add \$627,000 to the initial grant agreement. This initial money will be used to finish the south coast project.

**Upper John Day Lidar; Federal Grant: \$400,000; Funder: USGS 3DEP**

Oregon Lidar Consortium (OLC) project that would acquire 2,711 square miles of new lidar in central Oregon. The lidar will be collected in Wheeler, Grant, Union, Umatilla, and Baker counties.

**Harney Silver Lidar; Federal Grant: \$189,558; Funder: USGS 3DEP**

Oregon Lidar Consortium (OLC) project called OLC Harney Silver 2020. In 2017 and 2015, DOGAMI's Oregon Lidar Consortium (OLC) program acquired 1,292 square miles of Quality Level 1 (QL1) non-3DEP lidar over portions of the Silves, Silver and Donner and Blitzen wathersheds within Harney County, Oregon.

Chair Maffei asked if the new project proposals need to go to the legislature for approval. Avy said four have already been approved by the legislature in November and the other two may go during the upcoming session.

Jeremiah asked about the Program Manager position that was filled by Alyssa Pratt, who took a rotation outside the Agency. Avy explained the position has been put on hold; there is a vacancy that

809 is not being filled at a lower level, which needs to remain open pending Alyssa's decision at the end  
810 of the rotational year on whether she returns.

811

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

813

814 **13) Director's Report:**

815 Director Avy presented his Director's Report on the following:

816

817 Avy wanted to acknowledge the tremendous work of staff during this challenging and stressful time.  
818 Relief of the three additional Business Office positions will be felt immediately.

819

820 Legislative Budget Notes Progress

821 Avy handed out and discussed a progress document that has been shared with legislators. The  
822 Agency has been having monthly financial reporting meetings with LFO, DAS-CFO, and the Governor's  
823 Office; in addition, daily conference calls with DAS Financial to discuss the budget to stay on track.  
824 The document includes a summary of what the Agency has been doing to meet requirements.

825

826 Avy and Houston met with the co-chairs of the Budget Committee. The Agency will continue to  
827 follow identified steps to meet the requirements from the Governor's Office, DAS and Legislature.

828

829 Internal Communication

830 Avy stated internal communications are taking place as discussed at the previous Board meeting. He  
831 said challenges with the internal communication have been the lack of a Program Manager and  
832 limiting the number of staff meetings charged to General Fund. Some emails that have been going  
833 out to staff were forwarded to Board members as an FYI. Currently work is being done on a formal  
834 internal communication plan to be discussed at the March Board meeting.

835

836 GS&S Program Manager Position

837 Avy said this position was supposed to be recruited for but the Agency is unable to do so due to  
838 General Fund spend and not having an official Program Manager position available. He has had  
839 conversations with DAS, LFO, and the Governor's Office that two positions actually need to be  
840 created to handle all the work. Avy discussed the need for having these manager positions. The  
841 current supervisors are being kept on to handle issues in the interim. There is some concern of  
842 putting two positions in front of the Legislature due to the challenges faced by the Agency.

843

844 Chair Maffei said the Board wanted a single manager as a go to person managing that program, and  
845 conveyed her reluctance to have two managers, especially with the budget issues. Avy stated that  
846 two supervisors would still be needed to handle all the issues.

847

848 Jeremiah asked Avy what his and staff's perspective would be on the four alternatives from the  
849 Governor's Office. Based on not having previously seen the information presented or having a  
850 chance to talk to staff, he believed Alternative 1A would likely be preferred by staff.

851

852 Grants – Internal Approval Process and Strategic Direction/Guidelines

853 Avy said the Board has expressed interest in having more input on the grants. He explained how the  
854 process currently works. He said sideboards have been discussed but not formalized. A draft of the

855 types of grants and how they line up with the strategic direction of the Board may be ready for  
856 discussion at the March Board meeting. He discussed the DAS GEO grants and the requirement for  
857 match and indirect. The Agency met with DAS GEO several times, to request indirects with no match  
858 requirement and in the end DAS GEO agreed to support it.

859  
860 Chair Maffei asked when the sideboards will be brought back to the Board. Avy stated the March  
861 meeting.

862  
863 Ashford said he was happy with the work on the grant process.

864  
865 Briefing: **No Board Action Required.**

866  
867 **14) Public Comment:**

868 Chair Maffei asked for public comment. No public comments.

869  
870 **15) Board Adjourn:**

871 Chair Maffei adjourned the meeting at 11:04 a.m.

872  
873 APPROVED

874  
875  
876 \_\_\_\_\_  
877 Laura Maffei, Chair

878

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

Friday, January 10, 2020

1:00 p.m.

*Portland, Oregon*

**1) Call to Order:** (Laura Maffei, Board Chair)

Chair Laura Maffei called the meeting to order at 1:03 p.m.

**2) Introductions:** (Laura Maffei, Board Chair and staff)

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

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)

Sarah Lewis, MLRR Program Manager

Bob Houston, Interim Legislative Coordinator

Bill Burns, Acting Earth Science & Remote Sensing Supervisor

Connor Anderson, Chief Information Officer (CIO)

Zee Priest, Contract Specialist

Steve Dahlberg, Fiscal Analyst

Lowell Anthony, Geohazards Analyst/DOGAMI, SEIU Bargaining Team Member

Others in attendance:

Amira Streeter, Governor's Office Natural Resources Policy Advisor

John Terpening, Legislative Fiscal Office (LFO) (via phone)

Renee Klein, DAS Office of the Chief Financial Officer (CFO) (via phone)

Diane Lloyd, Department of Justice (DOJ)

Sherry Lauer, DAS Human Resources (HR) (via phone)

Courtney Graham, SEIU Local 503

**3) Approval of Annual Director's Evaluation Written Document:**

Chair Maffei asked for approval of the Annual Director's Evaluation written document as discussed with each Board member individually, based on the Board's approved motion to accept the Annual Director's Evaluation at the September 9, 2019 Board meeting.

Board Action: **Teeman moved to approve the Annual Director's Evaluation written document, based on the Board's approval motion to accept Annual Director's Evaluation at the September 9, 2019 Board meeting. Kozlowski seconded. Motion carried.**

**4) Review of Agency's Draft 2nd-Year Budget and Proposed MLRR Fee Increase:**



11 Dania Ballard, Chief Financial Officer, presented the Agency's draft 2nd-year budget for the  
12 Geological Survey and Services (GS&S) and Mineral Land Regulation & Reclamation (MLRR) programs,  
13 and a proposed MLRR Fee increase.  
14

15 Ballard discussed the Proposed Fiscal Year 2021 (FY21) Budget and Fee Increase memo in the Board  
16 packet. She stated the Agency is sharing two different options to be considered, but they do not yet  
17 know which scenario will go to the Legislature.  
18

19 Ballard shared the GS&S budget includes the GS&S program and Agency Administration, which is the  
20 General Fund budget, and the MLRR budget is the Other Fund budget.  
21

22 Ballard discussed the GS&S program spreadsheet titled FY21 General Fund GS&S Budget. She went  
23 through the columns for the FY20 Legislatively Adopted Budget (LAB) and the Current Service Level  
24 (CSL) Ask for the FY21 Budget, which is what the Agency intends to ask for going forward. She stated  
25 there are two minor corrections to the spreadsheet sent out. First, column two of CSL Ask FY21  
26 Budget, the bottom number in green titled "Ending Balance" should be zero (\$0) instead of -\$15,000.  
27 Second, at the top of the column titled "Revenue", the amount of \$2,842,146 should be \$2,857,146,  
28 so the revenue balances to the total expenditures, leaving an ending balance of zero (\$0).  
29

30 Avy explained the reason for two options is given a one-year budget it provides a range for the  
31 Governor's Office to consider for the second year. He suggested to maximize flexibility a possible  
32 motion is to approve up to the limit of Option 2 for both programs, when the time comes for the  
33 Board's action.  
34

35 Ballard focused on Personal Services, under "Expenditures". The Personal Services Total, in column  
36 two labeled "CSL Ask Budget", is for \$1,824,811. This is a one year increase of approximately 12%, as  
37 opposed to the LAB FY20 amount of \$1,622,450. Some of the differences in the amount include  
38 Agency expected increases of a 3% Cost-of-Living Adjustment (COLA) or pay adjustment, and people  
39 who are at the top Step of their salary range will receive a step increase this year, which is a union  
40 negotiated item. Additional funding has also been included for the new Business Office positions.  
41 Prior practice of budget management was vacant positions typically were budgeted at Step 2 of the  
42 range. Due to Pay Equity implementation, agencies no longer have authority to determine starting  
43 pay. HR now performs a pay comparison review of new hire experience resulting in beginning pay  
44 that may be higher than Step 2.  
45

46 Ballard discussed the CSL Ask FY21 Budget for Services and Supplies. The Agency is asking for a total  
47 of \$985,500, which is about a 14% increase over the previous year based on the FY20 LAB being a  
48 thin budget. DOGAMI is budgeting expenses that are more realistic based on a normal course of  
49 business.  
50

51 Ballard explained reflection of FY18 actuals were used as a basis instead of last year as the Agency  
52 tried to be more realistic in what was spent. The FY21 budget is closer to how the Agency actually  
53 operates. Ashford said it looked like the new numbers are about 20% less than FY18. Ballard verified  
54 that is correct for Services and Supplies.  
55

56 Ballard stated Budget Option 2 is basically a mirror of Budget Option 1 but that they have added  
57 positions. For the CSL + Positions FY21 Budget, the Personal Services ask is \$2,072,494. This is for  
58 the GS&S Program Manager, a Principal Executive Manager D (PEM D) top Step level that is 100%

59 General Fund, and two Supervisors at the NRS 4 top Step level that are 80% General Fund and 20%  
60 project work through Federal Funds or Other Funds. Ashford asked if he was interpreting the  
61 Personal Services numbers correctly, that the difference is due to hiring a new manager and two  
62 supervisors, and the net difference/savings is due to the rotational supervisors going back to project  
63 work. Ballard responded that is correct.

64  
65 Avy explained since there is no current position for the Program Manager vacancy, this would be  
66 addressed through the 100% General Fund PEM D. For the two supervisors referenced for 20%  
67 project work, one consideration is the value of them to be connected to the project managers and  
68 work itself, it also reduces some of the General Fund cost. Avy is concerned that as the Business  
69 Office is bolstered to deliver the service needed to be successful with a grant heavy agency, staying  
70 with the current situation on the supervisory/management side, the Agency will not be able to  
71 perform at the level needed to be a healthy organization. He believes these positions are needed for  
72 long-term success, but ultimately it will be the Governor's Office decision.

73  
74 Ballard began discussing the FY21 Other Fund MLRR Budget and stated Bob Houston will follow up on  
75 this regarding the Proposed Fee Schedule Summary. Budget Option 1 CSL request for Personal  
76 Services is \$1,726,475, which has one new position for an NRS 4 related to the Grassy Mountain  
77 Project. Lewis said the NRS 4 position has been built into the budget and is needed for the program  
78 to meet their statutory requirements. The Agency has received the first ever application for a  
79 chemical process mine in Oregon and there is a need to build capacity into the program to handle the  
80 technical work. The position would be 60% cost recoverable to that project, and could hopefully be  
81 hired in with an expertise in metal mining so the other 40% of the position can be designed and  
82 leveraged to help the program overall meet some of the other lines of business. Ballard said this  
83 position is needed to service the work with Calico.

84  
85 Ballard said the Personal Services is a significant increase from the previous year's budget. The  
86 difference is due to the NRS 4 position, the COLA of 3%, and addition of the top step. There are  
87 several seasoned staff that are being affected by it. Jeremiah asked about the COLA and why it is  
88 being done. Lauer explained that it is a union negotiated amount and is non-negotiable.

89  
90 Ballard explained another significant increase for the MLRR program is an amount of \$231,821 being  
91 added for indirect costs of 15.51%, which has not been fully recovered in the past from MLRR. This is  
92 considered part of the federally negotiated rate. Going forward the amount will be built into the  
93 budget so it can be paid to support the Agency as a whole and it will reimburse the General Fund.

94  
95 Ballard said Services and Supplies listed in the FY20 LAB are \$283,988; in the CSL Ask FY21 Budget it is  
96 \$476,401. Ballard said Option 2 is a mirror of Option 1 but includes an additional NRS 2 position.  
97 Lewis said one challenge for the program is meeting the workload for the processing of applications  
98 and adequately performing site visits. The position is to help with compliance for the aggregate  
99 permitting program. She said this position is in line with their previous ask for two positions from  
100 their budget request a year ago.

101  
102 Houston discussed the DOGAMI-MLRR Proposed Fee Schedule Summary and described how the chart  
103 was setup, which is broken down into Application Fee and Annual Renewal Fee, then by program  
104 areas (Mining, Exploration Permit, and Oil & Gas/Geothermal). The chart shows the current fee  
105 structure under the current actual costs. The column titled "CSL" is actual costs and related to  
106 Option 1 for the MLRR Budget, which also includes the Limited Duration NRS 4 position (60% cost

107 recoverable for the consolidated application process). The next column titled “CSL & NRS 2 included  
108 for AGG”, is the increase for Option 2. The Annual Renewal Fee is the only thing changing, which  
109 reflect the numbers Ballard discussed during the budget presentation and adjusted for the target of 6  
110 months beginning balance at the start of the 25-27 biennium.

111  
112 Houston explained that the same methodologies and approach were kept in adjusting the fees to  
113 reach parity across the application fee structure. An assumption related to the application fee was  
114 similar levels of work should pay similar levels of cost. The Annual Renewal Fee is where there are  
115 increases and decreases across the programs.

116  
117 Chair Maffei asked questions about the Oil and Gas/Geothermal renewal fees related to 1st year then  
118 2nd year to closure. Houston confirmed and explained the fees would be the same for the life of the  
119 well until the well pad is reclaimed and the well itself is plugged. He stated that some fees had not  
120 been changed/adjusted since 1991. During the 2007 fee increase effort, there was an agreed upon  
121 approach to phase in the \$500 second year to close renewal fee at a following biennium Legislative  
122 Session to put the increase to that fee, which was not addressed until this attempt.

123  
124 Chair Maffei asked what the rationale is for the difference between the renewal fees between Oil  
125 and Gas and Geothermal. Houston explained it is being approached in a way that each program pays  
126 for itself and aggregate permits do not subsidize the geothermal industry or the oil and gas industry.  
127 The challenge around the Oil and Gas and Geothermal programs, compared to the Aggregate  
128 program, are the number of active permits that get reviewed annually. The annual renewal fee  
129 contributes the most revenue to the programs and is based on how much it actually costs to  
130 administer the program. It also ensures the program covers the costs to pay for itself. Maffei  
131 summed it up by saying there are less geothermal wells and that program requires an amount of staff  
132 time that is a slightly heavier lift per well, so the fee is higher. Houston confirmed her observation.  
133 He stated last session when he reached out to the geothermal and oil and gas stakeholders regarding  
134 the proposed renewal fee increase, they acknowledged the benefit of the program and realized the  
135 program needed to recover its costs. This year’s proposed fee increase is more for geothermal and a  
136 decrease for oil and gas so the Agency will need to be engaged with the stakeholders, so they know  
137 what the proposed changes are and why.

138  
139 Jeremiah asked if the Board is being asked to give complete approval of the budget without  
140 stakeholder input. Avy said 17 stakeholder groups were met with last year and the budget is based  
141 on that input. As for what the Board is being asked to approve, he said that it would be for the up-to  
142 amount on Option 2 and the approval for the fee increase proposal to move forward. The actual  
143 proposal will be determined later by the Governor’s Office, due to the tight timeline that needs to be  
144 met. If the fee increase does not happen, the MLRR program will run out of money next spring so the  
145 Agency is looking at moving forward with the fee increase. Jeremiah feels like the Board is being  
146 asked to approve moving forward without stakeholder input and is not comfortable with it. Avy said  
147 the fee increase was discussed last year but has changed. Ashford asked Jeremiah what she was not  
148 comfortable with and she replied both the budget and the fee increase. Ashford asked Avy if the  
149 Option 1 and Option 2 budgets were developed with the Governor’s Office. Avy explained they have  
150 been working with the Governor’s Office, LFO and DAS, and is based on the actual spend of the  
151 Agency. Ashford said he is comfortable with the budget numbers based on Amira Streeter’s  
152 presentation and letter, and the fact the Agency has been working in coordination with the  
153 Governor’s Office.

154

155 Jeremiah disclosed that she is a fee payer and is not sure if she should recuse herself from voting, but  
156 she is also still uncomfortable with the fee increase and not having input from stakeholders. Diane  
157 Lloyd, with DOJ, said she was not giving Jeremiah legal advice but said it should be based on her  
158 ethics and thought she might want to recuse herself and get her own legal advice from the State  
159 Ethics Office.

160  
161 Avy suggested there should be two separate motions, one for the budget and one for the proposed  
162 fee increase.

163  
164 Ballard said she had questions if the Board can split them up and only vote on part of the budget.

165  
166 Board Action: **Chair Maffei moved to approve the proposed DOGAMI budget up to the level of**  
167 **Option 2 for the MLRR program and up to the level of Option 2 for the GS&S program/Agency**  
168 **Administration. Kozlowski seconded. Motion carried.**

169  
170  
171 Board Action: **Chair Maffei moved to approve the proposed fee increase for the MLRR program up**  
172 **to the level of Option 2. Ashford seconded. Motion carried.**

173  
174 Jeremiah abstained from both motions, but provided her concerns on the GS&S budget for the  
175 Business Office staff and thinks the Board should look at reviewing the need for the positions later  
176 after the Agency is caught up.

177

#### 178 5) **DOGAMI Strategic Plan Update:**

179 Amira Streeter, Governor's Office Natural Resources Policy Advisor, provided an update on the  
180 Governor's Office Strategic Plan for DOGAMI.

181  
182 Streeter gave a synopsis of the direction from the Governor's Office in regard to the letter and  
183 recommendation for the Agency, that will be going to the Legislature when finalized.

184  
185 Streeter reviewed a draft presentation on the Agency's future. She discussed the history of DOGAMI  
186 showing the ups and downs and challenges of the Agency, and its financial background and issues.  
187 She said the issue with 2015 did not seem to be internal systems but how the Agency tends to use  
188 the General Fund as flexible spending.

189  
190 She briefly discussed the four considered options for the future of the Agency, saying she plans to list  
191 and explain them least desirable to most desirable, including some pros and cons.

192

- The first option is moving the programs themselves into different natural resource agencies  
193 or entities such as a university, which would require a drastic change. There are currently  
194 14 natural resource agencies in the state. Streeter does not feel that it is appropriate to  
195 dismantle DOGAMI's programs and move them under another agency due to going over  
196 budget when some of the other agencies have spending issues as well and does not feel it  
197 will resolve any issues.

198

- The second option is moving DOGAMI in its entirety under a natural resource agency or  
199 university. This would parallel 52% of other states, but she feels the customer service would  
200 be degraded and that is what the Agency is best known for.

- 201           • The third option is moving DOGAMI to Salem, but the loss of key staff would not be  
202           appetizing.
- 203           • The fourth option is keeping DOGAMI intact but ensure there is a culture change and right  
204           sizing within the Agency. This is the most promising option. DOGAMI leadership and staff  
205           have clearly demonstrated they are able to make changes in a systematic smart way that is  
206           on the right track. The preference is to continue this work but also bring stability to the  
207           Agency overall.

208

209           Streeter stated the budget recommendation preference would be to go for Option 2 for both  
210           programs, which includes the proposed fee increase, adding the additional staff needed, and \$3  
211           million General Fund. This is the option she is going to fight and advocate for because it would  
212           provide a budget that is actually reflective of DOGAMI's financial needs and also provides the Agency  
213           the ability to build a 6-month reserve for MLRR. If the Legislature does not want to go that high, then  
214           they would go with Option 2 for GS&S, Option 1 for MLRR, and \$2.8 million General Fund.

215

216           In addition to the budget recommendation, Streeter briefly discussed her suggestions for DOGAMI's  
217           Strategic Plan, which she believes is an opportunity to re-envision the Agency. She suggested a  
218           potential name change for DOGAMI to better reflect the work done by the Agency. The focus areas  
219           would be 1) maps, publications and data; 2) geologic mapping; 3) resource extraction and permitting;  
220           and 4) natural hazards and risk assessment outreach. She said this is close to what DOGAMI is  
221           currently doing. Due to the amount of time it takes to develop a robust, multi-year Strategic Plan, a 6  
222           year plan would be developed for 2022-2028. It will need to be a robust discussion to ensure the  
223           Agency is around for the long term. Streeter said the revamping of tsunami work to align with best  
224           available science has been one of DOGAMI's greatest contributions to the State and should continue,  
225           even though it has been controversial. A new idea is having one or two additional Board members  
226           and having an ex-officio member potentially from the Governor's Office, to ensure the Agency  
227           remains on track, which is reflective of Washington state. Streeter also suggested an analysis of a  
228           future move of the Agency to Salem would be helpful, but a move would not take place anytime in  
229           the near future. The only other natural resource agency headquartered in Portland is DEQ.

230

231           Chair Maffei asked Streeter to tell the Board the next steps in the process, as far as the Governor's  
232           Office recommendation to the Legislature. Streeter said the cover letter and presentation will be  
233           turned in to the co-chairs by January 17, 2020. A hearing will be scheduled, and her understanding is  
234           there will be an Omnibus Bill the budget recommendation goes into, and another one for the fee  
235           increase, which are two different processes. Avy said DOGAMI needs to submit their letter on  
236           January 17th as well. The Short Session starts February 3, 2020 for 6 weeks and things will be moving  
237           quickly through the process.

238

239           Terpening explained the letters get turned in on January 17th. Streeter's will be in the form of a  
240           report and DOGAMI's in the form of an official budget ask. The budget ask gets put into an Omnibus  
241           Bill with all other budget adjustments, which will go to a subcommittee, then to full chambers to be  
242           voted on. Terpening said the initial plan is to have, during session in the Natural Resources  
243           Subcommittee, a hearing day dedicated to DOGAMI for Streeter to present her report and discussion  
244           about the budget recommendation, and then the DOGAMI report and discussion on the MLRR fees.  
245           The fees are also a standalone bill separate from the budget. The point is to have one day to discuss  
246           all of these interconnected issues and move them forward from there.

248 Streeter said the optimum primary recommendation would be to have Option 2 for both programs,  
249 but an adjustment may be needed. She said she needs to be very clear on why the additional  
250 positions are being requested, which is to ensure DOGAMI thrives and not just survives.

251  
252 Kozlowski said she appreciates Streeter’s close scrutiny and input on DOGAMI.

253  
254 Ashford thanked Streeter for coming to the meeting.

255  
256 Chair Maffei thanked Streeter for her scrutiny and support of the Agency. She said if the name is to  
257 be changed, it has to be an acronym that spells something. She stated having an ex-officio  
258 Governor’s Office member is a great idea and is open to other Board members, which could be  
259 challenging in trying to find someone to serve.

260  
261 Briefing: **No Board Action Required.**

262  
263 **6) Public Comment:**

264 Chair Maffei asked for public comment.

265  
266 Written public comment from the League of Women Voters from Peggy Lynch: It was not read into  
267 the record due to its length, but is supporting DOGAMI and its budget request, including the new  
268 positions and fee increase. Avy said the attachment letter is to show what was supported last year  
269 and it is her comments in the email that are more specific to this meeting. Both the email and  
270 attachment will be included with the minutes and made public for review.

271  
272 Avy wanted to acknowledge that Amira Streeter will be staying after this meeting to meet with staff  
273 and provide them a direct update. Chair Maffei thanked her and said she thought the staff will really  
274 appreciate the communication from the Governor’s Office.

275  
276 **7) Board Adjourn:**

277 At the conclusion of the public comment period, Chair Maffei adjourned the meeting at 2:48 p.m.

278  
279  
280 APPROVED

281  
282  
283  
284 \_\_\_\_\_  
285 Laura Maffei, Chair

## CALARRUDA Lori \* DGMI

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**From:** Peggy Lynch <peggylynchor@gmail.com>  
**Sent:** Thursday, January 9, 2020 11:26 PM  
**To:** AVY Brad \* DGMI; HOUSTON Robert \* DGMI  
**Cc:** STREETER Amira \* GOV; REP Rayfield; SEN SteinerHayward; SEN Johnson; SEN Taylor; REP Reardon; TERPENING John C; Rebecca Gladstone; Alice Bartelt; LWVofOregon  
**Subject:** DOGAMI 2020-21 Budget Proposal  
**Attachments:** SB 45 DOGAMI MLRR fees - Support - 2019 0404 - LWVOR.pdf

Chair Maffei and Members of the Board:

The League of Women Voters of Oregon has a comprehensive position adopted in 1995 on Hazards. We also support state land use Goal 7 and regulations that address the mining industry. We believe that the **missions** of both divisions of DOGAMI are critical to the public health and safety of Oregonians. Those missions are also important to the economy of Oregon. We take no position on the administrative structure that accomplishes the missions of both divisions. However, until a final decision is made on the eventual structure of these divisions, **we support funding both divisions as sufficiently as possible in order that these missions be accomplished.**

The Board packet doesn't sufficiently explain the job description for the added funding in Option 2 for the Geological Survey and Services division, so the League will defer to the Board, the Governor's Office and the Legislature as to that decision--at least until we have further information.

However, **the League DOES CLEARLY SUPPORT Option 2 for the Mineral Land Reclamation and Reclamation division.** This position is in line with the testimony we provided on SB 45 (2019) attached. Oregonians deserve increased field inspections and the legislature has set a Key Performance Measure that has not been met.

Thank you for considering our testimony.

Peggy Lynch, League of Women Voters of Oregon Natural Resources Coordinator

[https://www.oregongeology.org/about/govboard/boardpacket\\_1-10-2020.pdf](https://www.oregongeology.org/about/govboard/boardpacket_1-10-2020.pdf)



*The League of Women Voters of Oregon is a 99-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.*

April 3, 2019

To: Senate Environment and Natural Resources  
Senator Michael Dembrow, Chair  
Members of the Committee

Re: **SB 45** – Updating fees for DOGAMI’s MLRR Division – **Support**

The League of Women Voters of Oregon has a comprehensive position adopted in 1995 on Hazards. We also support state land use Goal 7 and regulations that address the mining industry.

In 2015, the mining industry stepped up to support an increase in fees to address serious fiscal issues with the Mining Land Regulation and Reclamation (MLRR) division. We acknowledge that support, although we also realize that it was in their interest to have a functioning MLRR program, and it does cost the industry. However, the Legislative Fiscal Office Budget Review acknowledges that the:

***“Department has found that the fee increases approved in 2015 and implemented in 2016 are no longer sufficient to cover both program and indirect costs beyond 2019-21 with the program fully staffed. The Department is proposing fee increases to better cover the costs of permitting, fund current activities beyond 2019-21, and to fund four additional positions described in POP 101. The program currently does not have capacity to conduct inspections on mine sites, which it had done in the past, although in a very inefficient manner that also contributed to permit processing backlog. Adding the three inspector positions will allow the Department to better meet its KPM #4 goal of inspecting 50% of all mine sites biennially (currently only 6.5% of mines have been inspected).”***

The budget request: ***“would fund four permanent positions (3.50 FTE) within the MLRR program. Three of the positions would be site inspectors, with the fourth position a half-time ISS-5 position to support the acquisition and maintenance of an electronic online permitting and inspection system. KPM #4 tracks the number of mine sites inspected biennial. Currently, MLRR has 865 surface mining operating permits, and over 1,000 different types of permit sites when including geothermal, oil and gas wells, but does not have the capacity to conduct site visits. The funding for this package is dependent on the approval of increases for the application, licensing and permitting fees received by the program.”***

The Legislature sets Key Performance Measures (KPM) to help gauge the success of each agency program. The public expects that regular mine inspections will occur. In order for the Dept. of Geology and Mineral Industries (DOGAMI) to meet KPM #4, we urge your passage of SB 45 and send it on to Ways and Means to support this important mission.

Thank you for the opportunity to discuss this legislation.

Norman Turrill  
LWVOR President

Peggy Lynch  
LWVOR Natural Resources Coordinator

Cc: Brad Avy, State Geologist, DOGAMI (Brad.Avy@oregon.gov)



# Staff Report and Memorandum

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

From: Bob Houston, Interim Legislative Coordinator/Rules Coordinator

Date: March 2, 2020

**Regarding: Agenda Item 4 – Rule Writing**

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

- 1) Request approval of proposed Service Fees rule language for adoption
- 2) Update on Permit Boundary Survey Maps rulemaking
- 3) Update of HB2202: High Value Soils rulemaking
- 4) Request approval of proposed Dispute Resolution model rule language for adoption by reference
- 5) Request approval to initiate formal rulemaking to address the Oregon Sage-Grouse Action Plan (Executive Order No. 15-18)

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

## **Request 1 – Request approval of proposed Service Fees rule language for adoption**

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.

Update: DOGAMI provided Notice of Proposed Rulemaking and have completed the public comment process, which ended on February 21, 2020. Notice was provided to specified legislators, agency mailing list and posted the notice in the Secretary of State’s Bulletin. The Department did not receive any comments from the public related to the proposed rule amendment.

The finalized proposed rule language is provided below for Board approval and authorization to proceed to submit the permanent rule to Archives Division, Secretary of State. The proposed effective date of the OAR 632-001-0010 amended rule is March 11, 2020.

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Finalized proposed rule language for review:  
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 Oregon Department of Administrative Services and adopted on February 15, 2017.

(2) All fees and charges must be paid before public records will be made available for inspection or copies provided.

Statutory/Other Authority: ORS 517

Statutes/Other Implemented: ORS 516.090

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***Proposed Board Action: Authorize DOGAMI staff to proceed with the proposed language and submit final permanent rule language OAR 632-001-0010 to Archives Division, Secretary of State.***

## **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.

Update: No change—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: The legislature passed HB 2202 (2013 Regular Session) involving aggregate mining on high value farmland 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. On September 9, 2019, Board authorized the Department to initiate rulemaking on OAR 632-030 to implement provisions specified in HB 2202.

Update: The Department sent invitations to participate on a Rules Advisory Committee (RAC). Once the RAC members are confirmed, meeting(s) will be schedule. The RAC provides input on substance and language of the rule and provides input on the Fiscal Impact Statement.

***Proposed Board Action: No Board Action Required.***

**Request 4 – Request approval of proposed Dispute Resolution model rule language for adoption by reference**

Background: Under certain conditions the Department may modify an operating permit or reclamation plan without the consent of the operator (ORS 517.831). 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. At the December 9, 2019 Board meeting, the Board authorized the Department to initiate formal rulemaking on OAR 632-001 to provide an alternative dispute resolution procedure.

Update: The proposed Attorney General’s Collaborative Dispute Resolution model rule language is provided below for Board approval. Rulemaking of a model rule follows an abbreviated process. The rule’s proposed effective date occurs after the rule is filed with the Secretary of State Archives Division.

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Collaborative Dispute Resolution Model Rule language for review:  
632-001-000X (Collaborative Dispute Resolution Model Rules)

The Attorney General’s Collaborative Dispute Resolution Model Rules, OAR 137, division 5, as in effect on December 9, 2019, are adopted and incorporated into this division.

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***Proposed Board Action: Authorize DOGAMI staff to proceed with the proposed language and adopt the Collaborative Dispute Resolution model rule language by reference.***

**Request 5 – Request approval to initiate formal rulemaking to address the Oregon Sage-Grouse Action Plan (Executive Order No. 15-18)**

Background: Executive Order No. 15-18 related to the Oregon Sage-Grouse Action Plan was signed on September 16, 2015 (attached). The Order requires all state agencies that carry out permitting actions within sage-grouse habitat (including DOGAMI) to ensure that their permitting and/or regulatory programs are consistent with Oregon Land Conservation and Development Commission (LCDC) and Oregon Department of Fish and Wildlife (ODFW) rules as well as the Oregon Sage-Grouse Action Plan by July 1, 2016.

MLRR has not permitted any mine sites within sage-grouse habitat since July 1, 2016; however, we have permitted 4 Exploration Permits in sage-grouse habitat in coordination with ODFW and we have 1 oil and gas permit application and 2 exploration applications for sites that may be in sage-grouse habitat.

To comply with the Executive Order, the Agency needs to implement a comprehensive rule review and rule writing through the formal rulemaking process.

***Proposed Board Action: Authorize DOGAMI staff to initiate formal rulemaking under OAR 632 to implement Executive Order No. 15-18 regarding the Oregon Sage-Grouse Action Plan.***



**EXECUTIVE ORDER NO. 15-18**

**ADOPTING THE OREGON SAGE-GROUSE ACTION PLAN AND  
DIRECTING STATE AGENCIES TO IMPLEMENT THE PLAN IN FULL**

Whereas the U.S. Fish and Wildlife Service (USFWS) determined in 2010 that listing the greater sage-grouse (sage-grouse) under the federal Endangered Species Act (ESA) was “warranted but precluded”;

Whereas the USFWS will make a new listing determination for sage-grouse in 11 western states later this year;

Whereas it is plainly in Oregon’s best interests to ensure that the significant investments that Oregon ranchers, communities, tribes, non-governmental organizations, and others have made in sage-grouse conservation are supported, such that economic prosperity and a healthy environment occur hand-in-hand in Eastern Oregon;

Whereas the principal threats to sage-grouse habitat in Oregon are wildfire, invasive weeds, and the spread of juniper;

Whereas the Harney County Soil and Water Conservation District (Harney SWCD) and other SWCDs, local governments and landowners have developed candidate conservation agreements with assurances (CCAA), which provide for ranching operations on non-federal lands to continue in ways that provide for both long-term economic stability and sage-grouse conservation;

Whereas the Oregon Cattlemen’s Association has developed a candidate conservation agreement (CCA) for grazing allotments on Bureau of Land Management (BLM) lands that supports the CCAAs developed for non-federal lands, and the federal Natural Resources Conservation Service (NRCS) has committed substantial funding for the conservation measures contained in CCAAs including strategic removal of juniper;

Whereas the CCAAs and the CCAs ensure that grazing operations in Oregon will be managed in a way that is consistent with sage-grouse conservation;

Whereas the Oregon Watershed Enhancement Board has committed to investing at least ten million dollars in priority Sage-Grouse conservation measures over the next ten years, including juniper management;

Whereas Oregon has a long-standing system of Rangeland Fire Protection Associations (RFPAs) that are often first responders to rangeland fires, and the



**EXECUTIVE ORDER NO. 15-18**  
**PAGE TWO**

number, enrollment and geographic extent of RFPAs continues to grow and now covers most sage-grouse habitat;

Whereas the Oregon Legislature has appropriated new funding to improve the capacity and effectiveness of RFPAs, along with other investments that address wildfire in sage-grouse habitat;

Whereas the Oregon Legislature also has appropriated significant new funding to help manage invasive weeds and reduce juniper encroachment in sage-grouse habitat;

Whereas ranching is the major economic base for the area of Oregon occupied by sage-grouse, and mining and renewable energy development present important long-term opportunities for economic development and job creation in this area of Oregon;

Whereas significant outdoor recreation including hunting, wildlife viewing, and hiking occurs in and depends on high-quality habitat in the areas of Oregon occupied by sage-grouse, and these activities provide additional economic, social, and other public benefits to Oregonians;

Whereas a federal ESA listing of the sage-grouse in the absence of a state plan likely would interfere with opportunities for future economic development in Eastern Oregon and could threaten the ranching industry in ways that would have significant adverse economic and social effects on Oregon citizens, businesses, and communities;

Whereas the Oregon Department of Fish and Wildlife has established population and habitat goals for the sage-grouse in Oregon that include:

- A population goal to maintain or enhance sage-grouse abundance and distribution at the 2003 spring breeding population level, approximately 30,000 birds, over the next 50 years; and
- A habitat goal to retain at least 70% of sage-grouse range as sagebrush habitat in advanced structural stages—sagebrush class 3, 4, or 5, with an emphasis on classes 4 and;

Whereas the Oregon Department of Fish and Wildlife adopted an updated conservation strategy for sage-grouse in 2011;





**EXECUTIVE ORDER NO. 15-18**  
**PAGE THREE**

Whereas the Oregon Fish and Wildlife Commission has adopted supplemental rules to guide sage-grouse conservation and compensatory mitigation for impacts to sage-grouse habitat;

Whereas the Oregon Land Conservation and Development Commission (LCDC), working closely with county governments and others, has adopted new rules designed to steer future development away from important sage-grouse habitat—supplementing Oregon’s already strong land-use system that generally directs most development to urban areas;

Whereas the Oregon Sage-Grouse Action Plan has been developed collaboratively through the work of the SageCon Partnership over the last three years, involving landowners, non-governmental organizations, local governments, and state and federal agencies;

Whereas the State of Oregon has worked closely with the federal Bureau of Land Management (BLM) to align the Oregon Sage-Grouse Action Plan with many elements of the new Resource Management Plans for the five BLM districts within Oregon;

Whereas the Oregon Sage-Grouse Action Plan, the BLM Resource Management Plans, and the CCAAs and CCAs entered into by private landowners effectively align conservation strategies for sage-grouse and management of sagebrush habitats across private and public lands across all sage-grouse habitat in Oregon; and

Whereas, effective implementation of conservation strategies and actions associated with the Oregon Sage-Grouse Action Plan will require engagement, functional alignment, and coordination across state, federal, tribal and private land ownership boundaries among all stakeholders to realize the social, economic and ecological benefits of a comprehensive approach to sage-grouse conservation and rangeland health.

**NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:**

1. The Oregon Sage-Grouse Action Plan is adopted as the plan for the conservation of sage-grouse in Oregon.
2. All state agencies shall carry out the actions described in the Oregon Sage-Grouse Action Plan to the full extent of their authorities and funding.



**EXECUTIVE ORDER NO. 15-18**  
**PAGE FOUR**

3. Specifically, and without limitation to the foregoing paragraph 2, the following actions shall be taken:

A. The Oregon Department of Forestry (ODF) shall provide technical and financial support to RFPAs to improve their capacity and effectiveness in controlling and limiting the adverse effects of rangeland fire on sage-grouse habitat on both federal and non-federal lands. Working collaboratively with RFPAs and the BLM, ODF shall develop a Memorandum of Agreement to assist in the coordination of rangeland firefighting and to protect the safety of those participating in such efforts.

B. The Oregon Department of Land Conservation and Development (DLCD) shall maintain a central registry of development on all lands within sage-grouse habitat in coordination with the BLM and county governments that both establishes the baseline level of development within each Priority Area for Conservation (PAC) and that tracks the location and geographic extent of new development in each PAC over time.

C. DLCD shall have the responsibility to coordinate the actions of Oregon agencies in implementing the Sage-Grouse Action Plan, under the supervision of my Natural Resources Office (GNRO).

D. All state agencies that carry out, fund, or permit actions within sage-grouse habitat—including but not limited to the Oregon Water Resources Department, the Oregon Department of Transportation, the Department of State Lands, the Department of Geology and Mineral Industries, the Oregon Department of Energy (ODOE) and the Energy Facility Siting Council, the Oregon Watershed Enhancement Board (OWEB), the Oregon Department of Agriculture, the Oregon Parks and Recreation Department, and the Department of Environmental Quality—shall adopt or update their state agency coordination plans and agreements with DLCD pursuant to ORS 197.180 and OAR Chapter 660, Division 30 to ensure that such actions comply with the LCDC Sage-Grouse Conservation Rules (OAR 660-023-0115) adopted to implement LCDC Goal 5 (Significant Natural Resources). State agency actions affecting land use also shall be consistent with the ODFW Sage-Grouse Mitigation Rules adopted at OAR 635-0140-0000 thru 635-140-0025. To the extent that an agency's regulatory program needs to be updated to be consistent with the LCDC and ODFW rules, the agency shall complete that updating by no later than July 1, 2016.



**EXECUTIVE ORDER NO. 15-18**  
**PAGE FIVE**

E. ODFW, working with the BLM and other federal, state, and local entities, shall have the responsibility to coordinate mitigation for impacts to sage-grouse and sage-grouse habitat in a manner consistent with the Sage-Grouse Action Plan and the agency's mitigation rules at OAR 635-140-0000 thru 635-140-0025. ODFW shall also work with ODOE, OWEB, Business Oregon, and other relevant state, federal, local, private and non-governmental entities to evaluate approaches and mechanisms for funding advance mitigation, with the intent of ensuring sage-grouse mitigation credits are available in the State's in-lieu fee program and facilitate responsible economic development in the range of the sage-grouse.

F. DLCD, in cooperation with ODFW local governments and the counties shall prepare a report on at least a biennial basis beginning on July 1, 2016, providing information regarding the status and trends of work to reduce threats to sage-grouse and sage-grouse habitat, including but not limited to work to reverse the spread of juniper and invasive plant species, work to improve pre- and post-fire resilience, the amount of direct development in each PAC over the preceding two years, the amount and types of compensatory mitigation, the results of surveys of sage-grouse population and habitat condition and trends, areas and/or elements where the Sage-Grouse Action Plan is and is not functioning as intended, and recommendations for improving the efficacy of the Sage-Grouse Action Plan. DLCD also shall include in the report an evaluation of the economic effects of implementation of the Sage-Grouse Action Plan on communities within sage-grouse habitat.

G. OWEB shall work with the NRCS, ODFW, and my Natural Resources Office to assure that its funding commitments are directed to supporting actions that reflect the priorities identified in the Sage-Grouse Action Plan, and that monitoring of the effectiveness of these investments is sufficient to evaluate overall Plan effectiveness and adapt the Plan as appropriate.

H. DLCD and ODFW, working with my Natural Resources Office, in cooperation with other participants, shall develop by July 1, 2016 one or more memoranda of agreement between federal agencies, state agencies, local governments, and other partners that establish:

i. How the BLM, DLCD and the counties will coordinate their administration of the central registry of large-scale development within sage-grouse habitat;



**EXECUTIVE ORDER NO. 15-18**  
**PAGE SIX**

ii. How ODFW will coordinate administration of the landscape-level mitigation program for sage-grouse with the BLM, USFWS, counties, and other partners;

iii. How ODFW will ensure early, efficient and constructive participation of its staff in local permit reviews of projects subject to Oregon Administrative Rules, Chapter 660, Division 30, or other applicable local ordinances where a county has adopted its own land use regulations implementing that rule; and

iv. How state and federal agencies will align their conservation investment priorities and programs for sage-grouse in cooperation with local governments, tribes, landowners, conservation organizations, and other stakeholders.

I. Every two years, beginning in May of 2016, DLCD, ODFW and OWEB shall prepare a proposed budget for the coming biennium that identifies and prioritizes resources required to continue the successful implementation of the Oregon Sage-Grouse Action Plan.

J. In the event of any inter-agency disputes regarding the administration of the Sage-Grouse Action Plan or this executive order, the agencies involved shall first attempt to resolve the dispute at the line staff level. If line staff are unable to resolve the dispute, the matter shall be elevated to the directors of the agencies. If the agency directors are unable to resolve the dispute, the matter shall be elevated to my Natural Resources Policy Advisor for resolution.

K. In the event that the USFWS determines that a listing of sage-grouse as threatened under the ESA is warranted, ODFW, DLCD, and my Natural Resources Office shall work with the USFWS to develop and implement a federal protective regulation under section 4(d) of the ESA (16 U.S.C. § 1533(d)) such that the "take" prohibition of the ESA will not apply to the sage-grouse-related impacts in Oregon from specified activities addressed by the Oregon Sage-Grouse Action Plan so long as Oregon is fully implementing Action Plan provisions specific to those activities.



**EXECUTIVE ORDER NO. 15-18**  
**PAGE SEVEN**

This Executive Order shall remain in effect until it is otherwise modified, amended or terminated.

Done at Salem, Oregon, this 16<sup>th</sup> day of September, 2015.

A handwritten signature in black ink that reads "Kate Brown".

Kate Brown  
GOVERNOR

ATTEST:

A handwritten signature in blue ink that reads "Jeanne P. Atkins".

Jeanne P. Atkins  
SECRETARY OF STATE



# Staff Report and Memorandum

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

From: Bob Houston, Interim Legislative Coordinator

Date: March 2, 2020

**Regarding: Agenda Item 5 – Legislative Update**

Bob Houston, Interim Legislative Coordinator, will provide a Legislative Update for DOGAMI.

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

# Staff Report and Memorandum

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

From: Dania Ballard, Chief Financial Officer

Date: March 2, 2020

**Regarding: Agenda Item 6 – Financial Report**

Attached are the DOGAMI Fiscal Year (FY) and Biennium 2019 End and FY20 Budget Status Report, as of December 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:** DOGAMI Governing Board

**FROM:** Dania Ballard, Chief Financial Officer

**DATE:** February 27, 2020

**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

Fiscal year (FY) 2019 (and Biennium 2019) ended June 30, 2019. FY19 financials are complete; all entries were finalized December 31, 2019.

| <b>Geological Survey &amp; Services (GS&amp;S) Program</b> |  |              |               |               |
|--|--|--------------|---------------|---------------|
| 2019 Biennium Close  |  |              |               |               |
|  | <b>2017-2019 Actual Revenue &amp; Expenditures</b> |              |               |               |
|  | General Funds                                      | Other Funds  | Federal Funds | All Funds     |
| Total Available Revenue                                    | \$ 5,359,949                                       | \$ 2,284,619 | \$ 3,782,405  | \$ 11,426,973 |
| Total Expenditures   | \$ 5,355,361                                       | \$ 1,982,537 | \$ 3,800,718  | \$ 11,138,616 |
| GS&S Ending Balance  | \$ 4,588   | \$ 302,082   | \$ (18,313)   | \$ 288,357    |



In 2019 a General Fund shortfall was projected and an additional \$650,000 was approved by legislature. All General Funds were expended with the exception of \$4,588. The Other Fund ending balance is \$302,082. Federal Funds ending balance is (\$18,313). This negative balance can be attributed to expenses incurred but revenue not collected in FY19.

| <b>Mineral Land Regulation &amp; Reclamation (MLRR) Program</b> |  |              |               |              |
|---|--|--------------|---------------|--------------|
| 2019 Biennium Close   |  |              |               |              |
|   | <b>2017-2019 Actual Revenue &amp; Expenditures</b> |              |               |              |
|   | General Funds                                      | Other Funds  | Federal Funds | All Funds    |
| Total Available Revenue   | \$ -   | \$ 3,943,381 |               | \$ 3,943,381 |
| Total Expenditures  | \$ -   | \$ 3,744,630 |               | \$ 3,744,630 |
| MLRR Ending Balance   | \$ -   | \$ 198,751   | \$ -          | \$ 198,751   |

The MLRR ending balance is \$198,751.

| <b>Strong Motion Instrument Fund (SMIF)</b> |  |               |            |
|---|--|---------------|------------|
| 2019 Biennium Close                         |  |               |            |
|   | <b>2017-2019 Actual Revenue &amp; Expenditures</b> |               |            |
|   | Other Funds  | Federal Funds | All Funds  |
| Total Available Revenue                     | \$ 653,599   |               | \$ 653,599 |
| Total Expenditures                          | \$ 376,673   |               | \$ 376,673 |
| SMIF Ending Balance                         | \$ 276,926   | \$ -          | \$ 276,926 |

| <b>Reclamation Guarantee Fund</b>    |             |
|--------------------------------------|-------------|
| 2019 Biennium Close                  |             |
| Beginning 2017-19                    | \$ 448,123  |
| 4 Security Releases                  | \$ (53,665) |
| 14 New Securities                    | \$ 219,179  |
| Biennium to Date: 51 Cash Securities | \$ 613,637  |

The Strong Motion Instrument Fund has a FY19 ending balance of \$276,926 and the Reclamation Guarantee Fund retains \$613,637 in cash securities.

## Fiscal Year 2020

The month of December (FY20) is closed. January and February are anticipated to have higher than average expenditures due to backlogged payables processing that has commenced with the addition of Business Office staff. Additionally, backlogged revenue draws and invoicing has also commenced. Further catch up activities include recording indirect costs and reclassifying project expenses that have been temporarily charged to General Fund.

| <b>Geological Survey &amp; Services (GS&amp;S) Program</b>   |                |              |               |                |
|--|----------------|--------------|---------------|----------------|
| As of December 31, 2019                                      |                |              |               |                |
| <b>2019-21 Actual + Projected Revenue &amp; Expenditures</b> |                |              |               |                |
|  | General Funds  | Other Funds  | Federal Funds | All Funds      |
| Total Available Revenue                                      | \$ 2,534,180   | \$ 1,785,521 | \$ 4,667,988  | \$ 8,987,690   |
| Total Expenditures   | \$ 5,762,158   | \$ 1,674,559 | \$ 4,679,966  | \$12,116,683   |
| GS&S Ending Balance  | \$ (3,227,978) | \$ 110,962   | \$ (11,978)   | \$ (3,128,993) |

The General Fund currently reflects a deficit of \$3,227,978 due to the circumstance that we have a two year budget forecasted but have only been allocated one year of revenue. This ending balance will be adjusted when legislature approves the second year General Fund revenue. The Other Fund ending balance is \$110,962. Federal Funds ending balance is (\$11,978). This negative balance can be attributed to actual expenses incurred but revenue not yet collected (projections not affected).

| <b>Mineral Land Regulation &amp; Reclamation (MLRR) Program</b> |               |              |               |              |
|---|---------------|--------------|---------------|--------------|
| As of December 31, 2019   |               |              |               |              |
| <b>2019-21 Actual + Projected Revenue &amp; Expenditures</b>    |               |              |               |              |
|   | General Funds | Other Funds  | Federal Funds | All Funds    |
| Total Available Revenue   | \$ -          | \$ 4,121,532 | \$ -          | \$ 4,121,532 |
| Total Expenditures  | \$ -          | \$ 3,925,990 | \$ -          | \$ 3,925,990 |
| MLRR Ending Balance   | \$ -          | \$ 195,542   | \$ -          | \$ 195,542   |

MLRR ending Other Fund balance is projected to have an ending balance of \$195,542.

| <b>Strong Motion Instrument Fund (SMIF)</b> |  |               |            |
|---|--|---------------|------------|
| As of December 31, 2019                     |  |               |            |
|   | <b>2019-21 Actual + Projected Revenue &amp; Expenditures</b> |               |            |
| June 30, 2019 Ending Balance                |  |               | \$ 276,926 |
|   | Other Funds  | Federal Funds | All Funds  |
| Total Available Revenue                     | \$ 329,326   |               | \$ 329,326 |
| Total Expenditures                          | \$ 3,191   |               | \$ 3,191   |
| SMIF Ending Balance                         | \$ 326,136   | \$ -          | \$ 326,136 |

| <b>Reclamation Guarantee Fund</b>     |            |
|---------------------------------------|------------|
| As of December 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 \$326,136 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 Budget Monitoring Tool***

A first revision standardized project/grant budget monitoring tool has been created. This tool summarizes all budgeted 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. This tool is being further improved to add actual monthly information so that variances between budget and actual can inform project changes as needed.

### ***Grant Financial Reporting***

Grant-level financial reporting is being used to track fiscal progress and facilitate project management strategy to maintain budget compliance. Acclimation and familiarity amongst staff with this process is complimenting continuous improvement. Requests for supplemental detail such as labor hours by person/OPE cost is prompting timely identification of corrections or budget adjustments for actual activity.

### ***Business Office Functions***

All three new Business Office positions, the fiscal analyst, grant accountant, and contract and procurement specialist are in place since the beginning January. Since onboarding, staff have assumed fiscal activities that have been delayed or foregone due to capacity. Immediate positive changes include catch up of backlogged payables and revenue collection, monthly indirect cost allocation, contract management and facilitation, timely and more detailed project financial support, and MLRR project fiscal management.

### **ATTACHMENTS:**

DOGAMI Financial Report

Department of Geology & Mineral Industries  
Budget Status Report: As of June 30, 2019

% of Time Spent  
100%

**Geological Survey & Services (GS&S) Program**

| Budget Category / Line Item          | 2017-19 Budget by Funding Source |                     |                  | 2017-19 Actual Revenue & Expenditures |                  |                   | 2017-19 Projected Revenue & Expenditures |                   |                 | 2017-19 Actual + Projected Revenue & Expenditures |                  |                   | Actual + Projected Budget Total |                   |                    |                   |
|--------------------------------------|----------------------------------|---------------------|------------------|---------------------------------------|------------------|-------------------|--|-------------------|-----------------|---|------------------|-------------------|---------------------------------|-------------------|--------------------|-------------------|
|                                      | General Funds                    | Other Funds         | Federal Funds    | All Funds                             | General Funds    | Other Funds       | Federal Funds                            | All Funds         | General Funds   | Other Funds                                       | Federal Funds    | All Funds         | General Funds                   | Other Funds       | Federal Funds      | All Funds         |
| <b>Revenue</b>                       |                                  |                     |                  |                                       |                  |                   |  |                   |                 |   |                  |                   |                                 |                   |                    |                   |
| Beginning Balance                    | -                                | 1,288,080           | -                | 1,288,080                             | -                | 546,069           | -  | 546,069           | -               | 546,069   | -                | 546,069           | -                               | 546,069           | -                  | 546,069           |
| 2017-19 Revenue                      | 5,359,949                        | 3,732,066           | 6,040,857        | 15,132,872                            | 5,355,361        | 1,738,551         | 3,782,405                                | 10,876,317        | 4,588           | 1,738,551   | 3,782,405        | 10,880,905        | 5,359,949                       | 1,738,551         | 3,782,405          | 10,880,905        |
| <b>Total Available Revenue</b>       | <b>5,359,949</b>                 | <b>5,020,146</b>    | <b>6,040,857</b> | <b>16,420,952</b>                     | <b>5,355,361</b> | <b>2,284,619</b>  | <b>3,782,405</b>                         | <b>11,422,386</b> | <b>4,588</b>    | <b>2,284,619</b>                                  | <b>3,782,405</b> | <b>11,426,973</b> | <b>5,359,949</b>                | <b>2,284,619</b>  | <b>3,782,405</b>   | <b>11,426,973</b> |
| <b>Expenditures:</b>                 |                                  |                     |                  |                                       |                  |                   |  |                   |                 |   |                  |                   |                                 |                   |                    |                   |
| <i>Personnel Services</i>            | 3,423,616                        | 1,217,762           | 2,781,676        | 7,423,054                             | 4,133,895        | 1,040,049         | 1,275,084                                | 6,449,028         | -               | 1,040,049   | 1,275,084        | 6,449,028         | 4,133,895                       | 1,040,049         | 1,275,084          | 6,449,028         |
| <i>Services &amp; Supplies</i>       | 9,940                            | 62,401              | 139,826          | 212,167                               | 100,228          | 14,890            | 16,883                                   | 132,001           | -               | 14,890  | 16,883           | 132,001           | 100,228                         | 14,890            | 16,883             | 132,001           |
| Instate Travel                       | 7,177                            | 23,234              | 6,527            | 36,938                                | 17,859           | 8,675             | 13,172                                   | 39,707            | -               | 8,675   | 13,172           | 39,707            | 17,859                          | 8,675             | 13,172             | 39,707            |
| Out of State Travel                  | 2,569                            | 10,924              | 8,251            | 21,744                                | 65,547           | 3,118             | 2,509                                    | 71,173            | -               | 3,118   | 2,509            | 71,173            | 65,547                          | 3,118             | 2,509              | 71,173            |
| Employee Training                    | 12,328                           | 32,354              | 1,395            | 46,077                                | 17,785           | 339               | 6,620                                    | 24,745            | -               | 339   | 6,620            | 24,745            | 17,785                          | 339               | 6,620              | 24,745            |
| Office Expenses                      | 108,632                          | 446                 | 14,420           | 123,498                               | 129,534          | -                 | -  | 129,534           | -               | -   | -                | 129,534           | 129,534                         | -                 | -                  | 129,534           |
| Telecomm                             | 86,684                           | 93,332              | 82,478           | 262,494                               | 260,776          | -                 | -  | 260,776           | -               | -   | -                | 260,776           | 260,776                         | -                 | -                  | 260,776           |
| State Gov't Svc Chg                  | 893,111                          | -                   | 6,739            | 899,850                               | 512,821          | -                 | -  | 512,821           | -               | -   | -                | 512,821           | 512,821                         | -                 | -                  | 512,821           |
| Data Processing                      | -                                | 4,922               | 59,349           | 64,271                                | 2,635            | 1,325             | 14,541                                   | 18,501            | -               | 1,325   | 14,541           | 18,501            | 2,635                           | 1,325             | 14,541             | 18,501            |
| Publicity & Publications             | 88,394                           | 1,622,736           | 2,775,962        | 4,487,092                             | 74,831           | 658,683           | 2,000,310                                | 2,733,824         | -               | 658,683   | 2,000,310        | 2,733,824         | 74,831                          | 658,683           | 2,000,310          | 2,733,824         |
| Professional Services                | -                                | 80,000              | -                | 80,000                                | 23,787           | -                 | -  | 23,787            | -               | -   | -                | 23,787            | 23,787                          | -                 | -                  | 23,787            |
| IT Professional Services             | 36,684                           | -                   | -                | 36,684                                | 30,108           | 7,589             | -  | 37,696            | -               | 7,589   | -                | 37,696            | 30,108                          | 7,589             | -                  | 37,696            |
| Attorney General                     | 268                              | 1,398               | -                | 1,666                                 | 40               | -                 | -  | 40                | -               | -   | -                | 40                | 40                              | -                 | -                  | 40                |
| Employee Recruitment                 | 1,430                            | 951                 | 2,187            | 4,568                                 | 6,823            | -                 | -  | 6,823             | -               | -   | -                | 6,823             | 6,823                           | -                 | -                  | 6,823             |
| Dues & Subscriptions                 | 222,592                          | 162,806             | 51,920           | 437,318                               | 369,016          | -                 | -  | 369,016           | -               | -   | -                | 369,016           | 369,016                         | -                 | -                  | 369,016           |
| Facilities Rent                      | -                                | -                   | -                | -                                     | 3,273            | -                 | -  | 3,273             | -               | -   | -                | 3,273             | 3,273                           | -                 | -                  | 3,273             |
| Fuels & Utilities                    | -                                | -                   | -                | -                                     | 1,453            | -                 | -  | 1,453             | -               | -   | -                | 1,453             | 1,453                           | -                 | -                  | 1,453             |
| Facilities Maintenance               | -                                | -                   | -                | -                                     | 39               | -                 | -  | 39                | -               | -   | -                | 39                | 39                              | -                 | -                  | 39                |
| Medical Services                     | -                                | -                   | -                | -                                     | 3,459            | -                 | -  | 3,459             | -               | -   | -                | 3,459             | 3,459                           | -                 | -                  | 3,459             |
| Agency Related S & S                 | -                                | -                   | -                | -                                     | -                | -                 | -  | -                 | -               | -   | -                | -                 | -                               | -                 | -                  | -                 |
| Intra agency Charges                 | -                                | -                   | -                | -                                     | -                | -                 | -  | -                 | -               | -   | -                | -                 | -                               | -                 | -                  | -                 |
| Other Services & Supplies            | 364,220                          | 654,459             | 52,093           | 1,070,772                             | 517,430          | 288               | 741                                      | 518,460           | -               | 288   | 741              | 518,460           | 517,430                         | 288               | 741                | 518,460           |
| Undistributed (S&S)                  | -                                | -                   | -                | -                                     | -                | -                 | -  | -                 | -               | -   | -                | -                 | -                               | -                 | -                  | -                 |
| Expendable Prop (\$250-\$5000)       | 7,141                            | 19,173              | 28,353           | 54,667                                | 10,997           | -                 | -  | 10,997            | -               | -   | -                | 10,997            | 10,997                          | -                 | -                  | 10,997            |
| IT Expendable Property               | 4,923                            | -                   | 29,681           | 34,604                                | 192,398          | -                 | 23                                       | 192,421           | -               | -   | 23               | 192,421           | 192,398                         | -                 | 23                 | 192,421           |
| Technical Equipment                  | -                                | -                   | -                | -                                     | 670              | -                 | -  | 670               | -               | -   | -                | 670               | 670                             | -                 | -                  | 670               |
| Data Processing Software             | 90,240                           | -                   | -                | 90,240                                | -                | -                 | 15,000                                   | 15,000            | -               | -   | -                | 15,000            | -                               | -                 | -                  | 15,000            |
| Data Processing Hardware             | -                                | -                   | -                | -                                     | 27,938           | -                 | -  | 27,938            | -               | -   | -                | 27,938            | 27,938                          | -                 | -                  | 27,938            |
| Other Capital Outlay                 | -                                | -                   | -                | -                                     | -                | -                 | -  | -                 | -               | -   | -                | -                 | -                               | -                 | -                  | -                 |
| Indirect                             | -                                | -                   | -                | -                                     | (1,147,981)      | 247,580           | 423,597                                  | (476,803)         | -               | 247,580   | 423,597          | (476,803)         | (1,147,981)                     | 247,580           | 423,597            | (476,803)         |
| <i>Total Services &amp; Supplies</i> | 1,936,333                        | 2,769,136           | 3,259,181        | 7,964,650                             | 1,221,466        | 942,488           | 2,525,634                                | 4,689,588         | -               | 942,488   | 2,525,634        | 4,689,588         | 1,221,466                       | 942,488           | 2,525,634          | 4,689,588         |
| <b>Total Expenditures</b>            | <b>5,359,949</b>                 | <b>3,986,898</b>    | <b>6,040,857</b> | <b>15,387,704</b>                     | <b>5,355,361</b> | <b>1,982,537</b>  | <b>3,800,718</b>                         | <b>11,138,616</b> | <b>4,588</b>    | <b>1,982,537</b>                                  | <b>3,800,718</b> | <b>11,138,616</b> | <b>5,355,361</b>                | <b>1,982,537</b>  | <b>3,800,718</b>   | <b>11,138,616</b> |
| <b>GS&amp;S Ending Balance</b>       | <b>\$ -</b>                      | <b>\$ 1,033,248</b> | <b>\$ -</b>      | <b>\$ 1,033,248</b>                   | <b>\$ -</b>      | <b>\$ 302,082</b> | <b>\$ (18,312)</b>                       | <b>\$ 283,770</b> | <b>\$ 4,588</b> | <b>\$ -</b>                                       | <b>\$ -</b>      | <b>\$ 4,588</b>   | <b>\$ 4,588</b>                 | <b>\$ 302,082</b> | <b>\$ (18,312)</b> | <b>\$ 288,357</b> |

| Strong Motion Instrument Fund        |                               |  |
|--------------------------------------|-------------------------------|--|
| 2017-19 Actual Revenue & Other Funds | 2017-19 Projected Other Funds | 2017-19 Actual + Projected Other Funds |
| Beginning Balance                    | -                             | 342,130                                |
| 2017-19 Revenue                      | -                             | 311,470                                |
| <b>Total Available Revenue</b>       | <b>653,599</b>                | <b>653,599</b>                         |
| <b>Expenditures:</b>                 |                               |  |
| <i>Personnel Services</i>            | 9,048                         | 9,048                                  |
| <i>Services &amp; Supplies</i>       | -                             | -                                      |
| Professional Services: U of O        | 367,625                       | 367,625                                |
| <b>Total Expenditures</b>            | <b>376,673</b>                | <b>376,673</b>                         |
| <b>SMIF Ending Balance</b>           | <b>\$ 276,926</b>             | <b>\$ 276,926</b>                      |

Department of Geology & Mineral Industries  
Budget Status Report: As of June 30, 2019

% of Time Spent  
100%

**Mineral Land Regulation & Reclamation (MLRR) Program**

| Budget Category / Line Item          | 2017-19 Budget by Funding Source |                  |               | 2017-19 Actual Revenue & Expenditures |               |                  | Actual Budget Spent |                  |         | 2017-19 Projected Revenue & Expenditures |         |           | 2017-19 Actual + Projected Revenue & Expenditures |                  |               | Actual + Projected Budget Total Spent |         |         |         |                  |
|--------------------------------------|----------------------------------|------------------|---------------|---------------------------------------|---------------|------------------|---------------------|------------------|---------|--|---------|-----------|---|------------------|---------------|---------------------------------------|---------|---------|---------|------------------|
|                                      | General Funds                    | Other Funds      | Federal Funds | All Funds                             | General Funds | Other Funds      | Federal Funds       | All Funds        | GF      | OF                                       | FF      | All Funds | General Funds                                     | Other Funds      | Federal Funds | All Funds                             | GF      | OF      | FF      | All Funds        |
| <b>Revenue</b>                       |                                  |                  |               |                                       |               |                  |                     |                  |         |  |         |           |   |                  |               |                                       |         |         |         |                  |
| Beginning Balance                    | -                                | 370,374          | -             | 370,374                               | -             | 443,934          | -                   | 443,934          | -       | -  | -       | -         | -   | 443,934          | -             | 443,934                               | -       | -       | -       | 443,934          |
| 2017-19 Revenue                      | -                                | 3,383,296        | -             | 3,383,296                             | -             | 3,499,447        | -                   | 3,499,447        | -       | -  | -       | -         | -   | 3,499,447        | -             | 3,499,447                             | -       | -       | -       | 3,499,447        |
| <b>Total Available Revenue</b>       | -                                | <b>3,753,670</b> | -             | <b>3,753,670</b>                      | -             | <b>3,943,381</b> | -                   | <b>3,943,381</b> | 0% 105% | 0% 105%                                  | 0% 105% | -         | -   | <b>3,943,381</b> | -             | <b>3,943,381</b>                      | 0% 105% | 0% 105% | 0% 105% | <b>3,943,381</b> |
| <b>Expenditures:</b>                 |                                  |                  |               |                                       |               |                  |                     |                  |         |  |         |           |   |                  |               |                                       |         |         |         |                  |
| <i>Personnel Services</i>            |                                  |                  |               |                                       |               |                  |                     |                  |         |  |         |           |   |                  |               |                                       |         |         |         |                  |
| <i>Services &amp; Supplies</i>       |                                  |                  |               |                                       |               |                  |                     |                  |         |  |         |           |   |                  |               |                                       |         |         |         |                  |
| Instate Travel                       | -                                | 62,331           | -             | 62,331                                | -             | 57,175           | -                   | 57,175           | 0% 87%  | 0% 87%                                   | 0% 87%  | -         | -   | 57,175           | -             | 57,175                                | 0% 87%  | 0% 87%  | 0% 87%  | 57,175           |
| Out of State Travel                  | -                                | -                | -             | -                                     | -             | 4,700            | -                   | 4,700            | -       | -  | -       | -         | -   | 4,700            | -             | 4,700                                 | -       | -       | -       | 4,700            |
| Employee Training                    | -                                | 69               | -             | 69                                    | -             | 13,635           | -                   | 13,635           | -       | -  | -       | -         | -   | 13,635           | -             | 13,635                                | -       | -       | -       | 13,635           |
| Office Expenses                      | -                                | 30,362           | -             | 30,362                                | -             | 18,038           | -                   | 18,038           | -       | -  | -       | -         | -   | 18,038           | -             | 18,038                                | -       | -       | -       | 18,038           |
| Telecomm                             | -                                | 81,090           | -             | 81,090                                | -             | 34,836           | -                   | 34,836           | -       | -  | -       | -         | -   | 34,836           | -             | 34,836                                | -       | -       | -       | 34,836           |
| State Gov't Svc Chg                  | -                                | -                | -             | -                                     | -             | -                | -                   | -                | -       | -  | -       | -         | -   | -                | -             | -                                     | -       | -       | -       | -                |
| Data Processing                      | -                                | 76,055           | -             | 76,055                                | -             | 51,764           | -                   | 51,764           | -       | -  | -       | -         | -   | 51,764           | -             | 51,764                                | -       | -       | -       | 51,764           |
| Publicity & Publications             | -                                | 3,585            | -             | 3,585                                 | -             | 1,222            | -                   | 1,222            | -       | -  | -       | -         | -   | 1,222            | -             | 1,222                                 | -       | -       | -       | 1,222            |
| Professional Services                | -                                | 439,740          | -             | 439,740                               | -             | 402,725          | -                   | 402,725          | -       | -  | -       | -         | -   | 402,725          | -             | 402,725                               | -       | -       | -       | 402,725          |
| IT Professional Services             | -                                | -                | -             | -                                     | -             | -                | -                   | -                | -       | -  | -       | -         | -   | -                | -             | -                                     | -       | -       | -       | -                |
| Attorney General                     | -                                | 139,746          | -             | 139,746                               | -             | 187,909          | -                   | 187,909          | -       | -  | -       | -         | -   | 187,909          | -             | 187,909                               | -       | -       | -       | 187,909          |
| Employee Recruitment                 | -                                | 5                | -             | 5                                     | -             | 8,248            | -                   | 8,248            | -       | -  | -       | -         | -   | 8,248            | -             | 8,248                                 | -       | -       | -       | 8,248            |
| Dues & Subscriptions                 | -                                | 596              | -             | 596                                   | -             | 736              | -                   | 736              | -       | -  | -       | -         | -   | 736              | -             | 736                                   | -       | -       | -       | 736              |
| Facilities Rent                      | -                                | 76,801           | -             | 76,801                                | -             | 72,853           | -                   | 72,853           | -       | -  | -       | -         | -   | 72,853           | -             | 72,853                                | -       | -       | -       | 72,853           |
| Fuels & Utilities                    | -                                | 11,022           | -             | 11,022                                | -             | 13,362           | -                   | 13,362           | -       | -  | -       | -         | -   | 13,362           | -             | 13,362                                | -       | -       | -       | 13,362           |
| Facilities Maintenance               | -                                | 10,987           | -             | 10,987                                | -             | 11,493           | -                   | 11,493           | -       | -  | -       | -         | -   | 11,493           | -             | 11,493                                | -       | -       | -       | 11,493           |
| Medical Services                     | -                                | -                | -             | -                                     | -             | -                | -                   | -                | -       | -  | -       | -         | -   | -                | -             | -                                     | -       | -       | -       | -                |
| Agency Related S & S                 | -                                | -                | -             | -                                     | -             | 29,660           | -                   | 29,660           | -       | -  | -       | -         | -   | 29,660           | -             | 29,660                                | -       | -       | -       | 29,660           |
| Intra agency Charges                 | -                                | -                | -             | -                                     | -             | -                | -                   | -                | -       | -  | -       | -         | -   | -                | -             | -                                     | -       | -       | -       | -                |
| Other Services & Supplies            | -                                | 32,773           | -             | 32,773                                | -             | 22,358           | -                   | 22,358           | -       | -  | -       | -         | -   | 22,358           | -             | 22,358                                | -       | -       | -       | 22,358           |
| Undistributed (S&S)                  | -                                | -                | -             | -                                     | -             | -                | -                   | -                | -       | -  | -       | -         | -   | -                | -             | -                                     | -       | -       | -       | -                |
| Expendable Prop (\$250-\$5000)       | -                                | 4,652            | -             | 4,652                                 | -             | 13,790           | -                   | 13,790           | -       | -  | -       | -         | -   | 13,790           | -             | 13,790                                | -       | -       | -       | 13,790           |
| IT Expendable Property               | -                                | 6,546            | -             | 6,546                                 | -             | 18,532           | -                   | 18,532           | -       | -  | -       | -         | -   | 18,532           | -             | 18,532                                | -       | -       | -       | 18,532           |
| Technical Equipment                  | -                                | -                | -             | -                                     | -             | -                | -                   | -                | -       | -  | -       | -         | -   | -                | -             | -                                     | -       | -       | -       | -                |
| Data Processing Hardware             | -                                | 18,282           | -             | 18,282                                | -             | -                | -                   | -                | -       | -  | -       | -         | -   | -                | -             | -                                     | -       | -       | -       | -                |
| Data Processing Hardware             | -                                | -                | -             | -                                     | -             | -                | -                   | -                | -       | -  | -       | -         | -   | -                | -             | -                                     | -       | -       | -       | -                |
| Other Capital Outlay                 | -                                | -                | -             | -                                     | -             | -                | -                   | -                | -       | -  | -       | -         | -   | -                | -             | -                                     | -       | -       | -       | -                |
| Indirect                             | -                                | -                | -             | -                                     | -             | 399,910          | -                   | 399,910          | -       | -  | -       | -         | -   | 399,910          | -             | 399,910                               | -       | -       | -       | 399,910          |
| <i>Total Services &amp; Supplies</i> | -                                | 994,642          | -             | 994,642                               | -             | 1,362,945        | -                   | 1,362,945        | 0% 137% | 0% 137%                                  | 0% 137% | -         | -   | 1,362,945        | -             | 1,362,945                             | 0% 137% | 0% 137% | 0% 137% | 1,362,945        |
| <b>Total Expenditures</b>            | -                                | <b>3,744,630</b> | -             | <b>3,744,630</b>                      | -             | <b>3,744,630</b> | -                   | <b>3,744,630</b> | 0% 100% | 0% 100%                                  | 0% 100% | -         | -   | <b>3,744,630</b> | -             | <b>3,744,630</b>                      | 0% 100% | 0% 100% | 0% 100% | <b>3,744,630</b> |
| <b>MLRR Ending Balance</b>           | \$ -                             | \$ 9,040         | \$ -          | \$ 9,040                              | \$ -          | \$ 198,751       | \$ -                | \$ 198,751       | \$ -    | \$ -                                     | \$ -    | \$ -      | \$ -  | \$ 198,751       | \$ -          | \$ 198,751                            | \$ -    | \$ -    | \$ -    | \$ 198,751       |

| Reclamation Guarantee Fund |                   |
|----------------------------|-------------------|
| Beginning 2017-19:         |                   |
| <b>47 Cash Security's</b>  | <b>448,123</b>    |
| 4 Security releases        | (53,665)          |
| 14 New Securities          | 219,179           |
| Biennium to date:          |                   |
| <b>51 Cash Security's</b>  | <b>\$ 613,637</b> |

Department of Geology & Mineral Industries  
Budget Status Report: December 2019

|                                   |
|-----------------------------------|
| % of Time Spent of 2 years<br>25% |
|-----------------------------------|

**Geological Survey & Services (GS&S) 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 Projected Revenue & Expenditures |                    |                   | 2019-21 Actual + Projected Revenue & Expenditures |                    |                       | Actual + Projected Budget Total |                |                |
|--------------------------------------|----------------------------------|------------------|---------------------|---------------------------------------|-------------------|---------------------|-----------------------|--------------------|-------------------|--|--------------------|-------------------|--|--------------------|-------------------|---|--------------------|-----------------------|---------------------------------|----------------|----------------|
|                                      | General Funds                    | Other Funds      | All Funds           | General Funds                         | Other Funds       | All Funds           | GF                    | OF                 | All Funds         | General Funds                            | Other Funds        | All Funds         | General Funds                            | Other Funds        | All Funds         | General Funds                                     | Other Funds        | All Funds             | GF                              | OF             | All Funds      |
| <b>Revenue</b>                       |                                  |                  |                     |                                       |                   |                     |                       |                    |                   |  |                    |                   |  |                    |                   |   |                    |                       |                                 |                |                |
| Beginning Balance                    | -                                | 1,029,817        | 1,029,817           | -                                     | 252,275           | 252,275             | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | 252,275   | -                  | -                     | -                               | -              | 252,275        |
| 2019-21 Revenue & Transfers          | 2,534,180                        | 1,319,027        | 3,853,207           | 1,344,493                             | 173,357           | 1,517,850           | 1,189,687             | 1,359,889          | 2,549,576         | 1,189,687                                | 1,359,889          | 2,549,576         | 1,189,687                                | 1,359,889          | 2,549,576         | 1,533,246   | 4,667,988          | 8,735,414             | -                               | -              | 8,735,414      |
| <b>Total Available Revenue</b>       | <b>2,534,180</b>                 | <b>2,348,844</b> | <b>4,883,024</b>    | <b>1,344,493</b>                      | <b>425,632</b>    | <b>1,770,125</b>    | <b>1,189,687</b>      | <b>1,359,889</b>   | <b>4,469,773</b>  | <b>1,189,687</b>                         | <b>1,359,889</b>   | <b>2,549,576</b>  | <b>1,189,687</b>                         | <b>1,359,889</b>   | <b>2,549,576</b>  | <b>1,785,521</b>                                  | <b>4,667,988</b>   | <b>8,987,690</b>      | <b>100%</b>                     | <b>76%</b>     | <b>161%</b>    |
| <b>Expenditures:</b>                 |                                  |                  |                     |                                       |                   |                     |                       |                    |                   |  |                    |                   |  |                    |                   |   |                    |                       |                                 |                |                |
| <i>Personnel Services</i>            | 1,622,450                        | 337,818          | 1,960,268           | 983,014                               | 263,289           | 1,246,303           | 3,670,932             | 572,034            | 1,154,594         | 3,670,932                                | 572,034            | 1,154,594         | 3,670,932                                | 572,034            | 1,154,594         | 835,323   | 1,439,012          | 6,928,281             | 287%                            | 247%           | 121%           |
| <i>Services &amp; Supplies</i>       | 5,159                            | 32,387           | 37,546              | 5,523                                 | 4,036             | 9,559               | 19,034                | 43,412             | 98,293            | 19,034                                   | 43,412             | 98,293            | 19,034                                   | 43,412             | 98,293            | 47,448  | 101,044            | 173,049               |                                 |                |                |
| Instate Travel                       | 3,725                            | 12,059           | 15,784              | -                                     | 132               | 15,916              | 2,000                 | 18,400             | 3,388             | 2,000                                    | 18,400             | 3,388             | 2,000                                    | 18,400             | 3,388             | 18,532  | 3,710              | 24,242                |                                 |                |                |
| Out of State Travel                  | 1,333                            | 5,670            | 7,003               | 300                                   | -                 | 300                 | 10,444                | 7,875              | 4,282             | 10,444                                   | 7,875              | 4,282             | 10,444                                   | 7,875              | 4,282             | 7,875   | 4,282              | 22,901                |                                 |                |                |
| Employee Training                    | 6,398                            | 16,792           | 23,190              | 42,722                                | 224               | 42,946              | 13,687                | 23,235             | 724               | 13,687                                   | 23,235             | 724               | 13,687                                   | 23,235             | 724               | 23,459  | 732                | 80,600                |                                 |                |                |
| Office Expenses                      | 43,260                           | 232              | 43,492              | 13,946                                | -                 | 13,946              | 79,167                | 322                | -                 | 79,167                                   | 322                | -                 | 79,167                                   | 322                | -                 | 322   | -                  | 93,436                |                                 |                |                |
| State Gov't Svc Chg                  | 61,190                           | 65,870           | 127,060             | 181,201                               | -                 | 181,201             | 214,533               | -                  | -                 | 214,533                                  | -                  | -                 | 214,533                                  | -                  | -                 | 395,734   | -                  | 395,734               |                                 |                |                |
| Data Processing                      | 463,525                          | -                | 463,525             | 20,877                                | -                 | 20,877              | 286,298               | -                  | -                 | 286,298                                  | -                  | -                 | 286,298                                  | -                  | -                 | 307,175   | -                  | 307,175               |                                 |                |                |
| Publicity & Publications             | -                                | 2,555            | 2,555               | 70                                    | -                 | 70                  | -                     | 4,471              | 30,802            | -  | 4,471              | 30,802            | -  | 4,471              | 30,802            | -   | -                  | 35,343                |                                 |                |                |
| Professional Services                | 3,272                            | 345,446          | 348,718             | 512                                   | 975               | 1,487               | 3,272                 | 479,407            | 2,289,937         | 9,000                                    | 16,209             | 2,289,937         | 3,784                                    | 480,382            | 2,316,257         | 16,209  | -                  | 2,800,423             |                                 |                |                |
| IT, Professional Services            | 41,680                           | -                | 41,680              | -                                     | -                 | 41,680              | 9,000                 | 3,647              | -                 | 3,647                                    | -                  | -                 | 9,000                                    | 3,647              | -                 | 12,647  | -                  | 12,647                |                                 |                |                |
| Attorney General                     | 2,665                            | -                | 2,665               | -                                     | -                 | 2,665               | 3,647                 | 1,111              | -                 | 1,111                                    | -                  | -                 | 3,647                                    | 1,111              | -                 | 4,758   | -                  | 4,758                 |                                 |                |                |
| Employee Recruitment                 | 139                              | 726              | 865                 | -                                     | -                 | 865                 | 3,693                 | 686                | 1,553             | 3,693                                    | 686                | 1,553             | 3,693                                    | 686                | 1,553             | -   | -                  | 6,151                 |                                 |                |                |
| Dues & Subscriptions                 | 742                              | 494              | 1,236               | 219                                   | -                 | 219                 | 328,120               | -                  | -                 | 328,120                                  | -                  | -                 | 328,120                                  | -                  | -                 | 394,560   | -                  | 394,560               |                                 |                |                |
| Facilities Rent                      | 135,694                          | 99,249           | 234,943             | 66,440                                | -                 | 66,440              | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | -   | -                  | -                     |                                 |                |                |
| Fuels & Utilities                    | -                                | -                | -                   | -                                     | -                 | -                   | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | -   | -                  | -                     |                                 |                |                |
| Facilities Maintenance               | -                                | -                | -                   | -                                     | -                 | -                   | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | -   | -                  | -                     |                                 |                |                |
| Medical Services                     | -                                | -                | -                   | -                                     | -                 | -                   | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | -   | -                  | -                     |                                 |                |                |
| Agency Related S & S                 | -                                | -                | -                   | -                                     | -                 | -                   | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | -   | -                  | -                     |                                 |                |                |
| Intra agency Charges                 | -                                | -                | -                   | -                                     | -                 | -                   | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | -   | -                  | -                     |                                 |                |                |
| Other Services & Supplies            | 131,535                          | 337,538          | 469,073             | 117,625                               | 87                | 117,712             | 125,000               | -                  | -                 | 125,000                                  | -                  | -                 | 125,000                                  | -                  | -                 | 125,000   | -                  | 125,000               |                                 |                |                |
| Undistributed (S&S)                  | -                                | -                | -                   | -                                     | -                 | -                   | 483,286               | -                  | -                 | 483,286                                  | -                  | -                 | 483,286                                  | -                  | -                 | 600,911   | 87                 | -                     | 600,997                         |                |                |
| Expendable Prop (\$250-\$5000)       | 3,706                            | 9,951            | 13,657              | -                                     | -                 | 13,657              | 5,853                 | 14,926             | 18,394            | 5,853                                    | 14,926             | 18,394            | 5,853                                    | 14,926             | 18,394            | -   | -                  | 39,173                |                                 |                |                |
| IT Expendable Property               | 2,555                            | -                | 2,555               | 79,190                                | -                 | 79,190              | 153,413               | -                  | 19,256            | 153,413                                  | -                  | 19,256            | 172,669                                  | -                  | 19,256            | -   | -                  | 251,859               |                                 |                |                |
| Technical Equipment                  | -                                | -                | -                   | -                                     | -                 | -                   | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | -   | -                  | -                     |                                 |                |                |
| Data Processing Software             | 46,835                           | -                | 46,835              | -                                     | -                 | 46,835              | 93,670                | -                  | -                 | 93,670                                   | -                  | -                 | 93,670                                   | -                  | -                 | 93,670  | -                  | 93,670                |                                 |                |                |
| Data Processing Hardware             | -                                | -                | -                   | -                                     | -                 | -                   | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | -   | -                  | -                     |                                 |                |                |
| Other Capital Outlay                 | -                                | -                | -                   | -                                     | -                 | -                   | -                     | -                  | -                 | -  | -                  | -                 | -  | -                  | -                 | -   | -                  | -                     |                                 |                |                |
| Indirect                             | -                                | -                | -                   | (167,146)                             | 32,909            | (134,237)           | (1,087,936)           | 190,819            | 690,363           | 746,733                                  | 800,873            | 3,156,992         | (1,087,936)                              | 190,819            | 690,363           | (1,255,081)                                       | 744,925            | (286,428)             |                                 |                |                |
| <i>Total Services &amp; Supplies</i> | 911,731                          | 970,644          | 1,882,375           | 361,478                               | 38,363            | 400,841             | 746,733               | 800,873            | 3,156,992         | 746,733                                  | 800,873            | 3,156,992         | 746,733                                  | 800,873            | 3,156,992         | 839,236   | 3,240,955          | 5,188,401             | 122%                            | 86%            | 189%           |
| <b>Total Expenditures</b>            | <b>2,534,180</b>                 | <b>1,308,461</b> | <b>3,842,641</b>    | <b>1,344,493</b>                      | <b>301,652</b>    | <b>1,646,145</b>    | <b>4,417,665</b>      | <b>1,372,907</b>   | <b>4,311,586</b>  | <b>4,417,665</b>                         | <b>1,372,907</b>   | <b>4,311,586</b>  | <b>4,417,665</b>                         | <b>1,372,907</b>   | <b>4,311,586</b>  | <b>1,674,559</b>                                  | <b>4,679,966</b>   | <b>12,116,683</b>     | <b>227%</b>                     | <b>128%</b>    | <b>161%</b>    |
| <b>GS&amp;S Ending Balance</b>       | <b>\$ -</b>                      | <b>\$ -</b>      | <b>\$ 1,040,383</b> | <b>\$ -</b>                           | <b>\$ 123,981</b> | <b>\$ (170,165)</b> | <b>\$ (3,227,978)</b> | <b>\$ (13,018)</b> | <b>\$ 158,187</b> | <b>\$ (3,227,978)</b>                    | <b>\$ (13,018)</b> | <b>\$ 158,187</b> | <b>\$ (3,227,978)</b>                    | <b>\$ (13,018)</b> | <b>\$ 158,187</b> | <b>\$ 110,963</b>                                 | <b>\$ (11,978)</b> | <b>\$ (3,128,993)</b> | <b>\$ 227%</b>                  | <b>\$ 128%</b> | <b>\$ 161%</b> |

| Strong Motion Instrument Fund         |  |   |
|---------------------------------------|--|---|
| 2019-21 Actual Revenue & Expenditures | 2019-21 Projected Revenue & Expenditures | 2019-21 Actual + Projected Revenue & Expenditures |
| Beginning Balance                     | 276,926                                  | 276,926   |
| AY 2019-21 Revenue                    | 52,400                                   | 52,400  |
| <b>Total Available Revenue</b>        | <b>329,326</b>                           | <b>329,326</b>                                    |
| <b>Expenditures:</b>                  |  |   |
| <i>Personnel Services</i>             | 3,191                                    | 3,191   |
| <i>Services &amp; Supplies</i>        | -  | -   |
| Professional Services:                | -  | -   |
| <b>Total Expenditures</b>             | <b>3,191</b>                             | <b>3,191</b>                                      |
| <b>SMIF Ending Balance</b>            | <b>\$ 326,136</b>                        | <b>\$ 326,136</b>                                 |

Department of Geology & Mineral Industries  
Budget Status Report: December 2019

|                                   |
|-----------------------------------|
| % of Time Spent of 2 years<br>25% |
|-----------------------------------|

**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                    | Other Funds      | Federal Funds | All Funds                             | General Funds | Other Funds    | Federal Funds       | All Funds      | GF | OF                                       | FF | All Funds | General Funds                                     | Other Funds      | Federal Funds | All Funds                       | GF | OF | FF               | All Funds |
| <b>Revenue</b>                       |                                  |                  |               |                                       |               |                |                     |                |    |  |    |           |   |                  |               |                                 |    |    |                  |           |
| Beginning Balance                    | -                                | 370,374          | -             | 370,374                               | -             | 227,101        | -                   | 227,101        | -  | -  | -  | -         | -   | 227,101          | -             | -                               | -  | -  | -                | 227,101   |
| 2019-21 Revenue & Transfers          | -                                | 2,035,239        | -             | 2,035,239                             | -             | 724,822        | -                   | 724,822        | -  | 3,169,608                                | -  | 3,169,608 | -   | 3,894,431        | -             | -                               | -  | -  | -                | 3,894,431 |
| <b>Total Available Revenue</b>       | -                                | <b>2,405,613</b> | -             | <b>2,405,613</b>                      | -             | <b>951,923</b> | -                   | <b>951,923</b> | 0% | 40%                                      | 0% | 40%       | -   | <b>4,121,532</b> | -             | -                               | -  | -  | <b>4,121,532</b> |           |
| <b>Expenditures:</b>                 |                                  |                  |               |                                       |               |                |                     |                |    |  |    |           |   |                  |               |                                 |    |    |                  |           |
| <i>Personnel Services</i>            | -                                | 1,215,959        | -             | 1,215,959                             | -             | 632,933        | -                   | 632,933        | 0% | 52%                                      | 0% | 52%       | -   | 2,613,005        | -             | -                               | -  | -  | -                | 2,613,005 |
| <i>Services &amp; Supplies</i>       | -                                | 32,350           | -             | 32,350                                | -             | 1,881          | -                   | 1,881          | -  | 46,225                                   | -  | 46,225    | -   | 48,106           | -             | -                               | -  | -  | 48,106           |           |
| Instate Travel                       | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| Out of State Travel                  | -                                | 36               | -             | 36                                    | -             | 389            | -                   | 389            | -  | 7,500                                    | -  | 7,500     | -   | 7,889            | -             | -                               | -  | -  | 7,889            |           |
| Employee Training                    | -                                | 15,758           | -             | 15,758                                | -             | 13,105         | -                   | 13,105         | -  | 16,736                                   | -  | 16,736    | -   | 29,840           | -             | -                               | -  | -  | 29,840           |           |
| Office Expenses                      | -                                | 42,086           | -             | 42,086                                | -             | 7,432          | -                   | 7,432          | -  | 37,933                                   | -  | 37,933    | -   | 45,365           | -             | -                               | -  | -  | 45,365           |           |
| Telecomm                             | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| State Gov't Svc Chg                  | -                                | 39,473           | -             | 39,473                                | -             | 16,907         | -                   | 16,907         | -  | 54,756                                   | -  | 54,756    | -   | 71,663           | -             | -                               | -  | -  | 71,663           |           |
| Data Processing                      | -                                | 1,861            | -             | 1,861                                 | -             | 4,203          | -                   | 4,203          | -  | 3,256                                    | -  | 3,256     | -   | 7,460            | -             | -                               | -  | -  | 7,460            |           |
| Publicity & Publications             | -                                | 49,521           | -             | 49,521                                | -             | -              | -                   | -              | -  | 590,750                                  | -  | 590,750   | -   | 590,750          | -             | -                               | -  | -  | 590,750          |           |
| Professional Services                | -                                | 29,125           | -             | 29,125                                | -             | -              | -                   | -              | -  | 500                                      | -  | 500       | -   | 500              | -             | -                               | -  | -  | 500              |           |
| IT Professional Services             | -                                | 3                | -             | 3                                     | -             | -              | -                   | -              | -  | 60,730                                   | -  | 60,730    | -   | 60,730           | -             | -                               | -  | -  | 60,730           |           |
| Attorney General                     | -                                | 310              | -             | 310                                   | -             | -              | -                   | -              | -  | 1  | -  | 1         | -   | 1                | -             | -                               | -  | -  | 1                |           |
| Employee Recruitment                 | -                                | 39,860           | -             | 39,860                                | -             | 17,712         | -                   | 17,712         | -  | 1,232                                    | -  | 1,232     | -   | 1,232            | -             | -                               | -  | -  | 1,232            |           |
| Dues & Subscriptions                 | -                                | 5,721            | -             | 5,721                                 | -             | 1,866          | -                   | 1,866          | -  | 60,950                                   | -  | 60,950    | -   | 78,662           | -             | -                               | -  | -  | 78,662           |           |
| Facilities Rent                      | -                                | 5,703            | -             | 5,703                                 | -             | 2,722          | -                   | 2,722          | -  | 7,920                                    | -  | 7,920     | -   | 9,786            | -             | -                               | -  | -  | 9,786            |           |
| Fuels & Utilities                    | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | 7,098                                    | -  | 7,098     | -   | 9,820            | -             | -                               | -  | -  | 9,820            |           |
| Facilities Maintenance               | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| Medical Services                     | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| Agency Related S & S                 | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| Intra agency Charges                 | -                                | 16,374           | -             | 16,374                                | -             | -              | -                   | -              | -  | 19,853                                   | -  | 19,853    | -   | 19,853           | -             | -                               | -  | -  | 19,853           |           |
| Other Services & Supplies            | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| Undistributed (S&S)                  | -                                | 2,415            | -             | 2,415                                 | -             | -              | -                   | -              | -  | 7,000                                    | -  | 7,000     | -   | 7,000            | -             | -                               | -  | -  | 7,000            |           |
| Expendable Prop (\$250-\$5000)       | -                                | 3,398            | -             | 3,398                                 | -             | 1,959          | -                   | 1,959          | -  | 16,961                                   | -  | 16,961    | -   | 18,920           | -             | -                               | -  | -  | 18,920           |           |
| IT Expendable Property               | -                                | 9,489            | -             | 9,489                                 | -             | -              | -                   | -              | -  | 18,978                                   | -  | 18,978    | -   | 18,978           | -             | -                               | -  | -  | 18,978           |           |
| Technical Equipment                  | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| Data Processing Hardware             | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| Data Processing Hardware             | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| Other Capital Outlay                 | -                                | -                | -             | -                                     | -             | -              | -                   | -              | -  | -  | -  | -         | -   | -                | -             | -                               | -  | -  | -                |           |
| Indirect                             | -                                | 293,477          | -             | 293,477                               | -             | 79,675         | -                   | 79,675         | -  | 206,753                                  | -  | 206,753   | -   | 286,428          | -             | -                               | -  | -  | 286,428          |           |
| <i>Total Services &amp; Supplies</i> | -                                | <b>1,509,435</b> | -             | <b>1,509,435</b>                      | -             | <b>780,784</b> | -                   | <b>780,784</b> | 0% | 50%                                      | 0% | 50%       | -   | <b>3,925,990</b> | -             | -                               | -  | -  | <b>3,925,990</b> |           |
| <b>Total Expenditures</b>            | -                                | <b>896,178</b>   | -             | <b>896,178</b>                        | -             | <b>171,139</b> | -                   | <b>171,139</b> | 0% | 52%                                      | 0% | 52%       | -   | <b>3,145,205</b> | -             | -                               | -  | -  | <b>3,145,205</b> |           |
| <b>MLRR Ending Balance</b>           | \$                               | -                | \$            | 896,178                               | \$            | -              | \$                  | 171,139        | \$ | -  | \$ | 24,403    | \$  | -                | \$            | 195,542                         | \$ | -  | \$               | 195,542   |
|                                      |                                  |                  |               |                                       |               |                |                     |                |    |  |    |           |   |                  |               |                                 |    |    |                  |           |

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



# Staff Report and Memorandum

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

From: Sarah Lewis, MLRR Program Manager

Date: March 2, 2020

**Regarding: Agenda Item 8 – Civil Penalties**

Sarah Lewis, MLRR Program Manager, will present two potential civil penalty actions. A matrix will include the fact pattern of permit violations related to required timely submittal of the annual report/fee. The program is looking for Board guidance in addressing these types of violations regarding the appropriate level of penalty, mitigating factors, and/or alternative response.

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

# Staff Report and Memorandum

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

From: Sarah Lewis, MLRR Program Manager

Date: March 2, 2020

**Regarding: Agenda Item 9 – 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

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

From: Sarah Lewis, MLRR Program Manager

Date: March 2, 2020

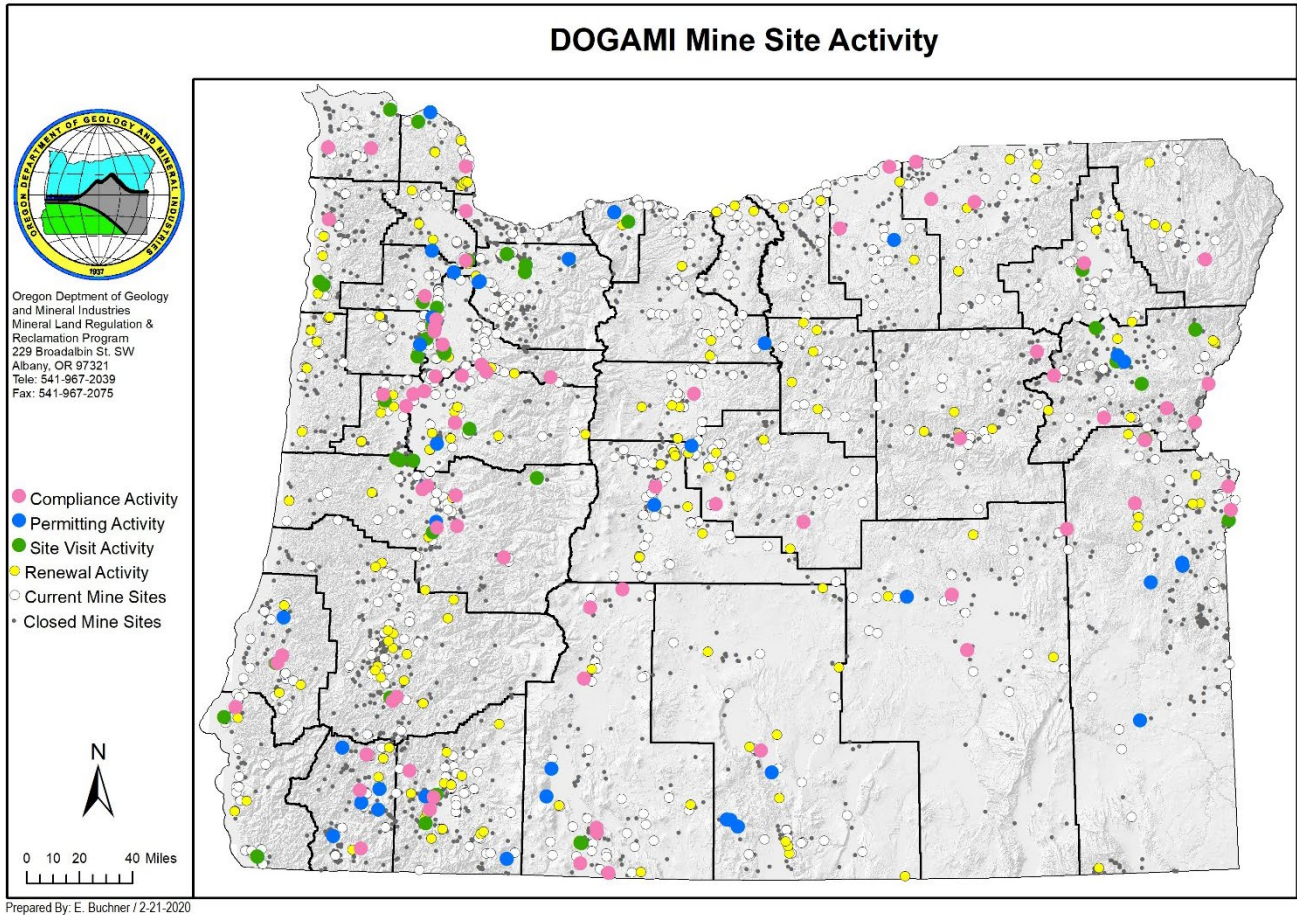
**Regarding: Agenda Item 10 – MLRR Update**

Sarah Lewis, MLRR Program Manager, will provide an update on MLRR and report on the following topics:

- 1) Permit Status Summary

Please note, included in this packet is the ENGAGe Spring 2020 newsletter being sent out and can also be 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.***

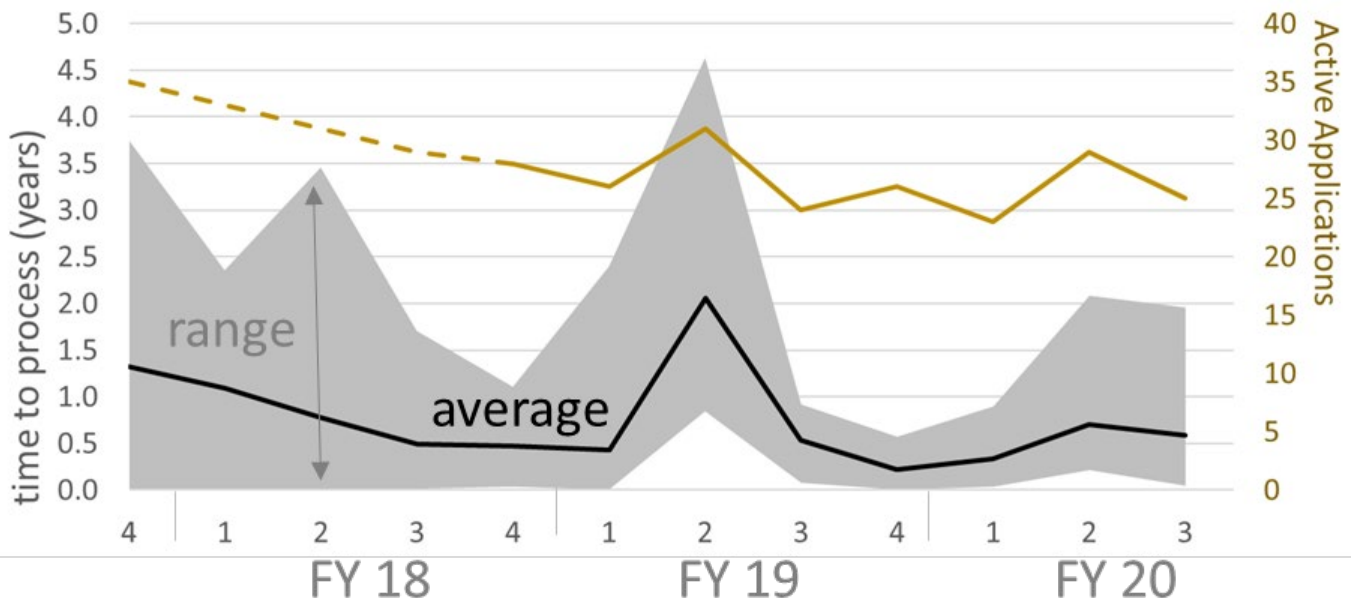


Map shows aggregate/non-aggregate active permitting applications, compliance actions, site visits in the last 6 months, and renewals due in last 3 months.

Table 1: Permit Status Summary (as of 2/25/20)

|                            | Apr-Jun 2019 |      | Jul-Sep 2019 |      | Oct-Dec 2019 |      | Jan-Mar 2020 |           |
|----------------------------|--------------|------|--------------|------|--------------|------|--------------|-----------|
|                            | Permits      | Apps | Permits      | Apps | Permits      | Apps | Permits      | Apps      |
| <b>Surface Mining</b>      |              |      |              |      |              |      |              |           |
| Operating Permits          | 878          | 26   | 881          | 23   | 872          | 29   | <b>873</b>   | <b>25</b> |
| Exclusion Certificates     | 118          | 0    | 117          | 1    | 119          | 1    | <b>120</b>   | <b>4</b>  |
| Sites Closed               | (1)          |      | (2)          |      | (1)          |      | <b>(0)</b>   |           |
| <b>Stormwater (DEQ)</b>    |              |      |              |      |              |      |              |           |
| 1200A Permits              | 162          | 5    | 161          | 6    | 161          | 7    | <b>160</b>   | <b>6</b>  |
| WPCF 1000 Permits          | 49           | 3    | 49           | 3    | 49           | 4    | <b>49</b>    | <b>4</b>  |
| <b>Exploration</b>         | 15           | 3    | 15           | 1    | 14           | 1    | <b>14</b>    | <b>2</b>  |
| <b>Oil &amp; Gas Wells</b> | 95           | 1    | 92           | 1    | 92           | 1    | <b>92</b>    | <b>2</b>  |
| <b>Geothermal</b>          |              |      |              |      |              |      |              |           |
| Well Permits               | 29           | 1    | 29           | 1    | 29           | 1    | <b>26</b>    | <b>1</b>  |
| Prospect Wells             | 7            | 0    | 7            | 0    | 7            | 0    | <b>7</b>     | <b>0</b>  |

Surface Mining Application Processing Time and Workload

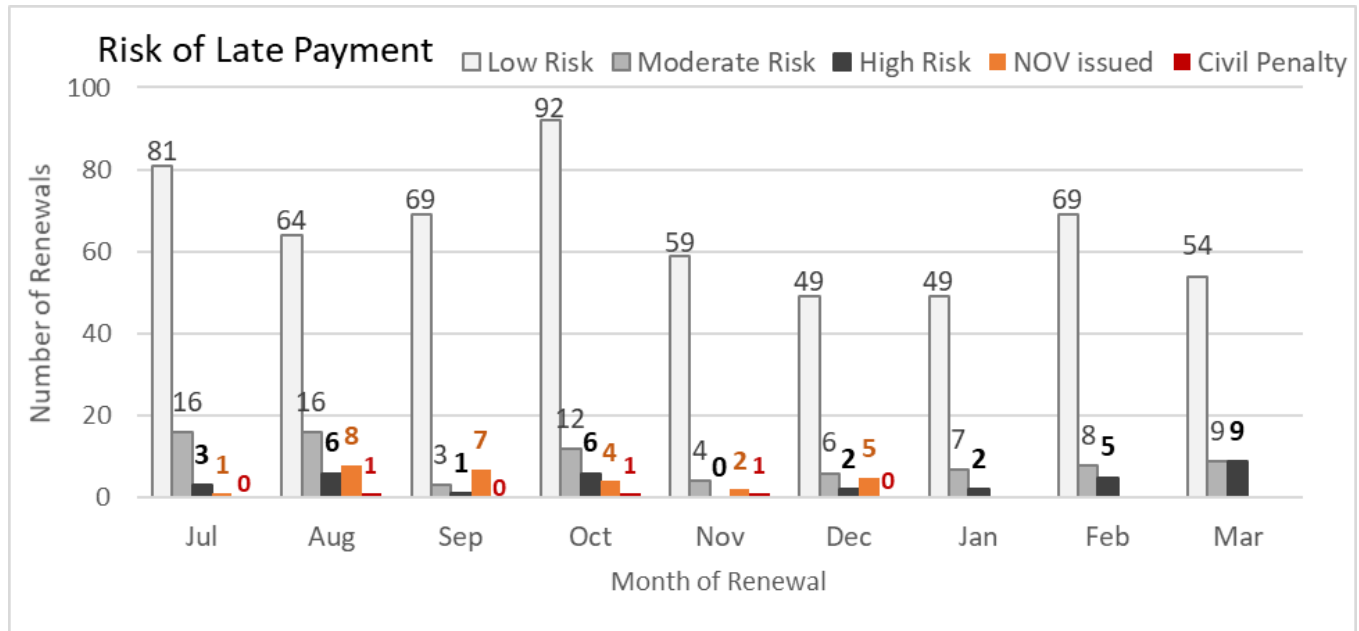


The average processing time for an application completed during the last year was 6 months.

Table 2: Surface Mining Applications by Type (rev. 2/26/20)

|  | Total | New | Amend | Transfer |
|--|-------|-----|-------|----------|
| <b>FY 2019</b>                               |       |     |       |          |
| Received                                     | 39    | 10  | 7     | 22       |
| Completed                                    | 42    | 13  | 7     | 21       |
| <b>FY20 1<sup>st</sup> Quarter</b>           |       |     |       |          |
| Received                                     | 12    | 3   | 1     | 8        |
| Completed                                    | 14    | 1   | 4     | 9        |
| <b>FY20 2<sup>nd</sup> Quarter (updated)</b> |       |     |       |          |
| Received                                     | 11    | 4   | 1     | 6        |
| Completed                                    | 5     | 2   | 1     | 2        |
| Active                                       | 29    | 14  | 6     | 9        |
| <b>FY20 3<sup>rd</sup> Quarter (to date)</b> |       |     |       |          |
| Received                                     | 6     | 0   | 2     | 4        |
| Completed                                    | 10    | 3   | 1     | 6        |
| Active                                       | 25    | 11  | 7     | 7        |
| <i>Applications older than 1 year</i>        | 8     | 5   | 3     | 0        |

Figure 3: Non-Payment of Renewal Fee



High risk renewals have paid late one or more times in the last 3 years; moderate risk renewals have paid late, but not in the last 3 years. Payments are late when 1 month past due; penalties are assessed after 2 months past due.

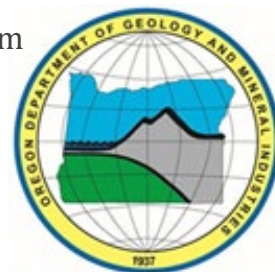
Table 3: Compliance Summary – Active Actions (as of 2/26/19)

|                                       | 2019 |     |     | 2020      |     |     |     |
|---------------------------------------|------|-----|-----|-----------|-----|-----|-----|
|                                       | Jun  | Sep | Dec | Mar       | Jun | Sep | Dec |
| <b>Non-Payment of Fees</b>            | 7    | 8   | 15  | <b>13</b> |     |     |     |
| <b>Mining Without a Permit</b>        | 12   | 20  | 18  | <b>18</b> |     |     |     |
| <b>Mining Outside Permit Boundary</b> | ~    | ~   | ~   | <b>24</b> |     |     |     |
| <b>Lack of Approval</b>               | ~    | 3   | 3   | <b>3</b>  |     |     |     |
| <b>Failure to Comply with Order</b>   | 8    | 6   | 6   | <b>6</b>  |     |     |     |
| <b>Permit Boundary Survey Map</b>     | 7    | 6   | 6   | <b>14</b> |     |     |     |
| <b>Boundary Marking Violation</b>     | 1    | 1   | 3   | <b>4</b>  |     |     |     |
| <b>Permit Condition Violation</b>     | 3    | 1   | 5   | <b>4</b>  |     |     |     |
| <b>Reclamation Security</b>           | 4    | 3   | 3   | <b>7</b>  |     |     |     |
| <b>Failure to Reclaim Timely</b>      | 0    | 1   | 1   | <b>6</b>  |     |     |     |
| <b>Total</b>                          | 42   | 49  | 60  | <b>99</b> |     |     |     |

the newsletter of the **Mineral Land Regulation and Reclamation** program

# ENGAGe

Spring 2020



*Exploration, Non-aggregate, Gas/oil, Aggregate, Geothermal*

## Do I need a permit for on-site construction activities?

In the 2019 legislative session, House Bill 3309 was passed. It amended the definition of surface mining (ORS.517.750) to exclude excavation or grading operations that are associated with on-site construction activities, and do not result in any excavated materials being sold into the commercial market. This amendment to the definition of surface mining went into effect on January 1, 2020.

### What does this mean?

- Construction projects that excavate and *do sell into market* will still require an Operating Permit or Exclusion Certificate from DOGAMI.
- Construction projects that excavate and *do not sell into market* do not require an Operating Permit or Exclusion Certificate from DOGAMI.

*If you'd like to receive this newsletter via email, sign up for our listserv:  
[listsmart.osl.state.or.us/mailman/listinfo/mlrr.newsletter](https://listsmart.osl.state.or.us/mailman/listinfo/mlrr.newsletter)*

## ENGAGe Feature: Grassy Mountain Mine Project

On November 15, 2019, Calico Resources USA Corporation (Calico) filed a Consolidated Permit Application (CPA) under Oregon's chemical process mining laws and regulations. Calico is proposing to construct an underground gold mine, surface mill complex, and tailings storage facility at Grassy Mountain in Malheur County. The site includes both private and public lands. This CPA represents the first ever submitted to the state of Oregon.

DOGAMI is the lead agency for chemical process mining permitting in Oregon, with responsibility for coordinating a multi-agency review of the Grassy Mountain Mine Project CPA. On February 19, 2020, DOGAMI advised the applicant that, in conjunction with permitting and cooperating agencies, that the CPA was not complete and additional information was required.

More information on Chemical Process Mining in Oregon, the Grassy Mountain Project and opportunities for public comment on the application is available on our website:  
[https://www.oregongeology.org/mlrr/chemicalprocess\\_Calico-GrassyMtn.htm](https://www.oregongeology.org/mlrr/chemicalprocess_Calico-GrassyMtn.htm)

Contact Us at 541-967-2039 [mlrr.info@oregon.gov](mailto:mlrr.info@oregon.gov)

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

Oregon Department of Geology and Mineral Industries

Mineral Land Regulation & Reclamation

229 Broadalbin St. SW, Albany, OR 97321



DRY FALLS, WA – PHOTO TAKEN BY BECKY JOHNSON

## **Cari's Compliance Corner**

On July 1, 2019, MLRR began using civil penalties as part of our enforcement program to bring mining sites into compliance with Oregon statute and rule.

First, we implemented civil penalties for the non-payment of renewal fees (more than 60 days late). Our Civil Penalties newsletter from Summer 2019 explains this in more detail. As a result of changes to the renewal timeline and these penalties, we have seen a steady decline in excessively late renewal payments! Thank you for your attention to the deadlines, as this allows staff to spend less time chasing fees and more time assisting applicants, permittees and the public.

DOGAMI is now implementing civil penalties for mining without a permit. DOGAMI will focus on sites that are operating without an Operating Permit from DOGAMI. Without appropriate regulation, there is no oversight on off-site impacts or reclamation once mining is completed. The sites may also be selling materials into market in competition with sites who are properly permitted. Depending on the severity of the violation, penalties for mining without a permit can be up to \$10,000 per day.

DOGAMI is striving to improve consistency and fairness in our enforcement program, while also providing support and advocating for voluntary compliance. In the future, civil penalties for mining without a permit will expand to include any mining activity conducted outside of your permit boundary (such as storing overburden, stockpiling, and excavation). A step you can take now to ensure compliance with your permit is to mark your permit boundary in the field.

If you have questions about compliance at your site, please contact DOGAMI's Mining Compliance Specialist – Cari Buchner at [cari.buchner@oregon.gov](mailto:cari.buchner@oregon.gov) or 541-967-2081.

## **Nominate For MLR Awards**

Each year, the MLRR Program recognizes outstanding reclamation in several categories. We are continually seeking nominations for our annual Mined Land Reclamation Awards, and we encourage operators to nominate themselves.

With your help, we would like to identify operators who excel at the day-to-day operations of a site, perform high-quality reclamation, involve their companies in community service, or work to meet the goals of the Oregon Plan.

Nominations collected through March 15<sup>th</sup> are considered for this year's award.

For more details, please call 541-967-2149 or email [ben.mundie@oregon.gov](mailto:ben.mundie@oregon.gov).

Please help DOGAMI-MLRR provide excellent customer service by taking our customer satisfaction survey: <https://www.surveymonkey.com/r/MLRRCustomer>



# Staff Report and Memorandum

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

From: Bill Burns, Acting Earth Science & Remote Sensing Supervisor and Laura Gabel, Acting Natural Hazards & GIS Supervisor

Date: March 2, 20209

**Regarding: Agenda Item 11 – GS&S Update**

Bill Burns, Acting Earth Science & Remote Sensing Supervisor and Laura Gabel, Acting 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

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

From: Brad Avy, Director & State Geologist

Date: March 3, 2020

**Regarding: Agenda Item 12 - Director's Report**

Director Avy will deliver his report on the following topics:

- 1) Geological Survey & Services Program Management
- 2) Internal Communications Plan
- 3) Grants - Approval Pipeline/Sideboards
- 4) 2021-23 Agency Request Budget & Legislative Concepts
- 5) Strategic Planning 2022-2028

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

# Staff Report and Memorandum

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

From: Laura Maffei, Governing Board Chair

Date: March 2, 2020

**Regarding: Agenda Item 13 – Confirm Time and Date for next meeting**

Currently the next DOGAMI Board meeting is scheduled for Monday, July 13, 2020 in Portland.

Note: Currently 3 p.m. – 9 p.m. on Sunday, July 12, 2020 is being held for a potential Board Retreat.

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