

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

Monday, July 13, 2020

8:30 a.m.

Virtual Public Meeting

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

Chair Laura Maffei called the meeting to order at 8:30 a.m.

2) Introductions: (Laura Maffei, Board Chair and Staff)

Chair Laura Maffei, Vice-Chair Katie Jeremiah, and Board Members Scott Ashford, and Diane Teeman and Linda Kozlowski were all in attendance via Zoom video/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 GS&S Program Manager/Legislative Coordinator

Sarah Lewis, MLRR Program Manager

Cari Buchner, Mining Compliance Specialist

Steve Dahlberg, Fiscal Analyst

Others in attendance:

Diane Lloyd, Department of Justice (DOJ)

John Terpening, Legislative Fiscal Office (LFO)

Renee Klein, DAS Office of the Chief Financial Officer

Christina Appleby, DOGAMI Staff on personal time

Chair Maffei thanked Scott Ashford and Jennifer Beck of OSU, for allowing us to use their Zoom account for the meeting.

1 **3) Review Minutes of March 9, 2020, May 14, 2020, and June 23, 2020:**

2 Chair Maffei asked if there were any changes to the minutes as presented.

3
4 Jeremiah had a question about the IT computer system upgrade discussion from a previous meeting.
5 The information was identified in the minutes.

6
7 Board Action: **Kozlowski moved to approve the minutes of March 9, 2020, May 14, 2020, and June**
8 **23, 2020 as submitted. Jeremiah seconded. Motion carried.**

9

10 **4) Civil Penalties:**

11 Sarah Lewis, MLRR Program Manager, introduced Cari Buchner, Mining Compliance Specialist, to
12 discuss the Civil Penalties being brought to the Board for approval to proceed. Lewis stated Buchner

13 just celebrated her 2-year anniversary as the Mining Compliance Specialist and recognized her for the
14 tremendous amount of work that she has done to develop this program. The program has gone from
15 having no Compliance Specialist to having a systematic way to assess these penalties and help make
16 the program more effective in attaining compliance.

17
18 Buchner reviewed two Civil Penalties for non-payment of renewal fees. The first site is over 92-days
19 late. The permittee sent the renewal form back with a note stating the site is closed per their
20 discussion/agreement with a Reclamationist. Buchner stated she communicated with them this is
21 not the correct way to close the site. There has been no response from them, even with the Notice
22 of Civil Penalty. Buchner does not recommend waiving the \$250 first offense penalty because they
23 have been so non-responsive to the appropriate method of closing a site.

24
25 The second site is a chronic late payer who requested an extension and then paid 25-days late, both
26 occurring after becoming eligible to receive a Civil Penalty. Buchner recommends assessing a \$500
27 penalty.

28
29 Kozlowski said the organization and presentation was very clear on the information provided, which
30 she appreciated. Ashford agreed and thanked Lewis and Buchner for their efforts.

31
32 Chair Maffei said some of these sites are way out of compliance, allowing the Board to make easy
33 and straight forward decisions. Maffei stated the process of having the Board approve all the Civil
34 Penalties is a ramp up to the MLRR program being allowed to do this automatically at some point for
35 routine penalties.

36
37 Board Action: **Ashford moved to allow staff to move forward with Civil Penalties on the presented**
38 **cases. Kozlowski seconded. Motion carried.**

39
40
41 Lewis provided, through the use of a decision tree, an overview for the range of Civil Penalties that
42 are defined in statute and rule. MLRR has focused on the late/non-payment of renewal fees because
43 it has been the highest administrative burden for the lowest level of violation and has brought more
44 sites into compliance for paying on time. Mining Without a Permit (MWOP) is a much higher
45 violation as a Class 4 Violation and is one of the more egregious categories of violation because they
46 are operating without any regulation at all. The goal is to bring the operator into compliance to
47 protect human health, safety and the environment; minimize off-site impacts; ensure reclamation of
48 the site; and level the playing field so all operators bear the full cost of mining and regulation. When
49 someone mines without a permit and they sell the material into the market it is unfair competition.

50
51 Lewis reviewed the steps of MLRR's approach to compliance for Surface Mining, which are done
52 through outreach, by setting clear expectations, providing contact information, sending multiple
53 reminders, and making accommodations for circumstances. Formal notices consist of Notice of
54 Action (NOA) and Notice of Violation (NOV). These are generally effective, but there are few to no
55 consequences to the operator or permittee if the problem is not addressed. There have not been a
56 lot of options on how to proceed and the NOA/NOV approach is a high administrative load and not
57 always effective.

58
59 Lewis discussed the enforcement options. She said the Suspension Order is hard to enforce because
60 it is just an order with no built-in enforcement action. The other option available is to pull the bond

61 and reclaim the site. Lewis said this requires technical follow up with technical staff if they pull the
62 bond and reclaim the site, it is up to MLRR to do the reclamation activity and pay for it. There is now
63 the option of Civil Penalties for Class 1-4. Lewis stated MLRR can use Criminal Penalties, but it
64 requires Circuit Court involvement and is much more expensive. Civil Penalties provide a way to have
65 moderate to severe consequences to operators and permittees, but the goal is not severe
66 consequences, it is to bring them into compliance. This may require high administrative and DOJ
67 effort. Civil Penalties can be used to cover costs if they are recovered.
68

69 Buchner presented information related to a site that was being mined and operated without a
70 permit. Buchner stated for a violation to be considered a Class 4, it either has to pose an immediate
71 threat to human health and safety or cause actual human injury or has caused damage to the
72 environment.
73

74 Buchner presented a case study with photos of harm to the environment. In this example, the
75 operator was assessed a \$117,000 Civil Penalty and convicted of one count of criminal Water
76 Pollution II. A Suspension Order was subsequently issued and an additional \$127,000 in Civil
77 Penalties were assessed by the Department of Environmental Quality.
78

79 Buchner discussed the Morgan Creek Pit (10-0223), an unpermitted mining operation brought to the
80 Board for guidance regarding a Civil Penalty of Mining Without a Permit. There is approximately 10
81 acres of surface disturbance and it is located in steep terrain, upslope from a creek designated as
82 essential salmonid habitat. Buchner said this site is in a landslide area and provided erosion related
83 details. On June 3, 2020, Buchner did a site visit to document the situation. She discussed the
84 specific issues they found, which are: widespread erosion; significant new disturbance with no Best
85 Management Practices (BMPs); evidence of recent slope failures; turbid discharge into Morgan Creek
86 was observed, sampled, documented, and provided to DEQ for follow-up; and the silt fence between
87 the settling pond and Morgan Creek is no longer effective.
88

89 Buchner reviewed the fact pattern timeline for the site that started in 2015.

- 90 • 2015 – Mining Without a Permit (MWOP) confirmed by site inspection, NOV issued;
91 Operating Permit required (disturbance over 5 acres, production unknown)
- 92 • 2016 – Operating Permit Application received; found to be significantly deficient. It was
93 subsequently withdrawn.
- 94 • 2017 – Reclamation inspection determined incomplete reclamation
95 ○ Suspension Order issued; reclamation required
- 96 • 2019 – Reclamation inspection discovered continued activity on site
97 ○ DOGAMI staff were told by operator they always intended to permit the site, wants
98 an Exclusion Certificate
99 ○ Site does not qualify for an Exclusion Certificate, Operating Permit required, security
100 required, still under Suspension Order
101 ○ Inspected again, more activity noted; Operating Permit Application requested
- 102 • 2020 – Exclusion Certificate Application submitted, denied

- 103 ○ Operator requests review of Exclusion Certificate denial by State Geologist, denial
104 upheld; still under Suspension Order
- 105 ○ DOGAMI receives from complainant multiple photos of trucks hauling material off
106 site
- 107 ○ Inspection discovered new expansions at site, documented turbid discharge
- 108 ○ Department recommends Civil Penalties

109
110 There has been a long history of non-responsiveness, non-compliance, and now blatant violations of
111 the Suspension Order. The program is now recommending Civil Penalties for this site. The photos of
112 trucks leaving the site start on April 28, 2020, for context, the State Geologist Review was issued on
113 April 8, 2020. On June 23, 2020, Buchner reminded them the Suspension Order is still in effect, the
114 last two photos are from June 27, 2020.

115
116 To determine the amount of the Civil Penalty, Buchner said they are only considering violations they
117 can document as having occurred after July 1, 2019, when MLRR first began implementing Civil
118 Penalties. She showed a chart of 58 citable violations and discussed several options for determining
119 the Civil Penalty amount that could be charged to both the operator and landowner. Buchner stated
120 per the Internal Management Directive for implementing Civil Penalties, aggravating factors can
121 justify assessing a penalty above the median and mitigating factors can justify assessing a penalty
122 lower than the median. In this case, many of the aggravating factors are applicable and none of the
123 mitigating factors. The 58 violations in the single notice are not counting the previous similar
124 violations that occurred between 2015 and July 1, 2019. It is clear this is a pattern of conduct at this
125 site since 2015.

126
127 Lewis asked the Board what additional information that DOGAMI/MLRR should be considering for
128 this first assessment of Civil Penalties for Mining Without a Permit. Jeremiah said to Lewis and
129 Buchner they did a nice job presenting an example of egregious violations with no respect for the
130 regulatory scheme that all permittees are under and agreed with Lewis that it really creates unfair
131 competition. She said there are enough facts to support issuing Civil Penalties in this situation, but
132 this is a slippery slope and does not want the Agency going from a compliance assistance agency with
133 a lot of stakeholder support into a fully enforcement agency. The stakeholders want even
134 enforcement of regulations, but do not want to receive tickets without having technical assistance to
135 identify ways to come into compliance first; especially stormwater since the Stormwater program has
136 only been in effect the last several years. Operators are trying to go from what inspectors have come
137 onsite and said for 20 plus years to all of a sudden they are under egregious violations of standards
138 and significant Civil Penalties and they didn't even know that they were doing anything wrong; and in
139 some cases have been lauded for their efforts for the same circumstances that they are now under
140 enforcement for. Jeremiah said we need to remember this is a permittee funded arm of the Agency
141 and so to the extent that the Agency expects industry to continue to support them in getting
142 additional funding to move forward, there has to be an investment of the technical support side of
143 the Agency being a priority over enforcement and writing tickets.

144
145 Chair Maffei said she understood Jeremiah to say that the Agency should not be in a position where
146 inspectors go out and write tickets, but at the same time MLRR needs to protect those doing it right.

147

148 Ashford said it seems to him that the Operating Permit is the opening for DOGAMI to help permittees
149 do things in the right way and give them ideas on how to be compliant. Refusing to get the permit in
150 the first place is a different route than the Agency trying to issue tickets.

151
152 Jeremiah agreed with Ashford for the most part, but as a permittee, her experience on the
153 reclamation side, has been that staff of the Agency have been extremely helpful, and very sharp
154 when it comes to being a technical resource. When it came to the new sudden enforcement of the
155 stormwater permits, her experience is the consistent comment was it is not our job to tell you how to
156 comply, you have a permit you are under, you've got to figure it out.

157
158 Kozlowski said she supports the Agency helping in the transition and being a supporter rather than a
159 negative force but is also concerned about the environmental impact and the length of time these
160 permits take and the damage it does to the environment in the interim. She thinks there needs to be
161 a balance with the permitting process, but her concern is about the environmental impact that is
162 happening at this time and the more time it continues.

163
164 Ashford asked Jeremiah if the stormwater comment is coming from DOGAMI or is it another agency.
165 She responded DOGAMI has been delegated authority from DEQ for enforcement of the stormwater
166 permits, and believes that the comment of we can't tell you how to comply, you just have to comply,
167 is coming from DEQ. She does not think DEQ staff is very eager to help find ways to help people with
168 permits.

169
170 Chair Maffei asked if the Board was being requested to approve moving forward with enforcement
171 against this particular mining site. Lewis said yes, there is currently no final number for the penalty
172 amount. She said they could propose a range and get approval to move forward/proceed
173 somewhere within that range, or the other option is for them to take the feedback received today
174 and come back to the Board during a Special Meeting or the September Board meeting. The only
175 concern with delay is there is ongoing harm to the environment. Maffei agreed stating the operation
176 has been continuing on an almost daily basis for 5 years.

177
178 Kozlowski stated this is blatant, which is the discouraging part. Chair Maffei said this is the type of
179 violation that needs to be dealt with. Teeman said she believes MLRR should move forward with
180 assessing the Civil Penalty due to the environmental impact and the fact they are blatantly not
181 following the rules, which is unfair to the ones who are following the rules and are paying.

182
183 Ashford asked if there is a level of penalty that would get them to comply and an amount of penalty
184 to allow the Agency to move ahead. Lewis said they do not know how much economic benefit they
185 may have received through production, but they can determine how much in fees have been
186 avoided. Buchner said they do have one other site they have been trying to get permitted since 2014
187 but it is held up due to fish passage. They have a consistent history of not being responsive to
188 Department communication.

189
190 Buchner said that Civil Penalties are not the first step MLRR takes to get permitted sites into
191 compliance. They start at the beginning of the process and try to work through the issue. It only gets
192 to the Civil Penalties stage if the permittee keeps ignoring them through all the other steps.

193

194 Jeremiah reinforced the slippery slope dynamic when you start having enforcement be the focus of
195 the direction that the Agency is headed. She thinks the way things are going now with the Agency
196 continuing to be a technical resource is helpful for those who want to comply.

197
198 Jeremiah asked if they had the operator on the phone today, what comments would the operator
199 have about not wanting or needing a permit. Diane Lloyd, DOJ, said in the past the operator did hire
200 counsel and sought State Geologist review of the Department's denial of their application for the
201 Exclusion Certificate (EC), but what they have done has surpassed the threshold of mining material.
202 She said perhaps going forward they only intend to mine below the Operating Permit threshold, but
203 they disregard the fact that they have already exceeded the threshold and are not eligible for an EC,
204 because they tried to argue that the statute is written prospectively to allow them to seek an EC
205 based on what they plan in the future as opposed to the current facts on the ground.

206
207 Chair Maffei asked if it is possible to get an EC if you are already mining a site. Buchner answered,
208 yes if it is below the thresholds that require an Operating Permit. Maffei asked how the Agency can
209 determine if they are mining below the threshold if they do not have a permit in the first place and
210 they are not reporting to MLRR. Lewis said the threshold is both a production amount and an aerial
211 disturbance in acreage, so they can assess by the acreage of disturbance. Jeremiah asked if the
212 County has been involved, she believes there would be a land use issue here. Buchner said Douglas
213 County has given them land use approval for this site.

214
215 Chair Maffei mentioned that there is a placeholder meeting for later in July and that she wants to
216 discuss this in more detail. Ashford asked if things had gone well, what would they have paid in fees
217 during this time. Buchner said for the application fees, productions fees, renewal fees, boundary
218 survey map, geotechnical study for slope stability concerns, and stormwater treatment, she is
219 guessing \$30-\$50K. Ashford said he thought the Agency should look at fees. Avy said the company
220 should not only be fined for the cost of obtaining a permit since it might be cheaper to just keep
221 paying fines.

222
223 Ashford asked Lloyd what the Board should consider or not consider in determining the amount of
224 penalties. Lloyd said the Civil Penalty authority has been in DOGAMI's statute since the 1990s. If
225 these penalties continue, the Board may want to look at rulemaking moving forward to standardize
226 the types of Civil Penalties for cases like this one. She said Buchner has done a good job of reflecting
227 the list and range of penalties that can be determined, and the Board can consider. Ashford said one
228 thing discussed was an economic trade off and he was curious about it. Chair Maffei said it is
229 routinely used in calculation of penalties.

230
231 Teeman said she echoed what Director Avy mentioned. In her line of business, they often say that it
232 is better to ask forgiveness than permission, because the Natural Resource and Cultural Resource
233 damages and fines that are assessed are usually less than what the revenue is for some corporations.
234 She thinks that being able to get right what the cost versus benefits of a scenario like this would be
235 would be helpful to make sure that if the Agency is going to go through the trouble of assessing some
236 kind of Civil Penalties or expenses towards the company, that it should have teeth, otherwise why
237 bother doing it.

238
239 Chair Maffei asked if Civil Penalties that are assessed go to General Fund. Lloyd answered fees
240 recovered through Civil Penalties go to the Agency. Lewis said there are restrictions on what can be
241 done with the funds. The agency may recover the costs of assessing Civil Penalties and then it is

242 deposited in the Voluntary Reclamation fund under Division 38 and used solely for reclamation. It is
243 not for general use, but it can go towards any action under the Civil Penalty program. Maffei said she
244 would like the staff to flesh out the penalty to give the Board more information to decide on the
245 penalty.

246
247 Kozlowski asked if a Civil Penalty is assessed, if there is a next step alternative since this operator has
248 a history of ignoring DOGAMI. She is really concerned about the environmental damage and the fact
249 that they are ignoring DOGAMI totally. The Agency needs to make a really strong statement. She
250 would like to know what the Board's options are. This discussion should be part of the next meeting.

251
252 Chair Maffei summarized there is support for a penalty, the Board just wants more specifics. The
253 Board has not had to deal with one of these before. It is very helpful for them to see how the process
254 was laid out and the amount of time spent over the last 5 years to get the site into compliance. The
255 fact that they have another operation makes her a little nervous, but it does sound like they are
256 trying to move forward with their application. Kozlowski said she hopes so.

257
258 **5) Financial Report:**

259 Dania Ballard, Chief Financial Officer, presented the DOGAMI FY20 Budget Status Report, as of
260 April 30, 2020, for the Geological Survey and Services (GS&S) and Mineral Land Regulation &
261 Reclamation (MLRR) programs.

262
263 Ballard said the update is through the end of April. She did a recap of what has been happening. In
264 April, the Agency was still waiting to get the second-year budget approved and the numbers
265 presented reflect that; there was an ask of \$3,104,928. She said revenue collection and accounts
266 payable have become routine and discussed the activities that still need to be done for catch up and
267 year-end, including indirect cost reclassification from General Fund to Federal and Other Funds.

268
269 The current GS&S General Fund ending balance is negative (-) \$3,151,589, because the second-year
270 budget was not approved at this time. The second-year ask of \$3,104,928 was approved for
271 \$2,864,393, after an adjustment of \$240,535 due to COVID-19 related reductions, which include 1.5
272 positions (the CIO and .5 Publications Coordinator), Services and Supplies, and closure of the
273 Newport and Baker City offices.

274
275 The MLRR program is projected to have an ending balance of negative (-) \$201,831 in December 2020
276 due to operating costs being greater than revenue coming in. Two parallel tracks are in place for a
277 fee increase, one this biennium and a Policy Option Package (POP) for next biennium. If the fee
278 increase does not happen this biennium, potential layoffs could start late summer.

279
280 The Strong Motion Instrument Fund had expenditures of \$9,281, leaving an ending balance of
281 \$337,545. Ballard anticipates more expenses that will hit before the end of the year.

282
283 The Reclamation Guarantee Fund released some bonds and securities at the same time it received
284 four more securities, leaving an ending balance of \$614,207 in Cash Securities.

285
286 Federal Funds is a negative (-) \$1 due to rounding adjustments.

287

288 Ballard said the monthly project financials are up-to-date, and budget building has been aligned to
289 actuals. When a project hits 30% budget left, there is a reforecast meeting to determine the
290 remaining details moving forward. Ballard stated the Business Office is coming up to speed and
291 getting routine processes ironed out. Recently a weekly functional status update was launched,
292 which is basically a list of all open-ended items having to do with Accounts Payable (A/P), Accounts
293 Receivable (A/R), invoicing, and requested system project code numbers. This list is reviewed weekly
294 with DAS.

295
296 Ashford asked if the difference between the \$3.1 million and \$2.8 million will cause a deficit at the
297 end of the year and how will the Agency take care of that. Ballard said it is showing a deficit because
298 it has not been reallocated for the changes that have been done with the second-year budget. The
299 amounts will get reallocated during the reclassification process which has been held up because of
300 the second-year budget. Chair Maffei clarified that means it will get allocated to projects so it will
301 come out of grant funding at some point. Ballard stated that is correct.

302
303 Board Action: **Ashford moved to accept the Budget Status Report as presented. Kozlowski**
304 **seconded. Motion carried.**

305
306 **6) Review 21-23 Agency Request Budget (ARB):**

307 Dania Ballard, Chief Financial Officer, reviewed the draft 2021-23 Agency Request Budget (ARB) for
308 DOGAMI.

309
310 Ballard emphasized this is a draft budget document. She explained where the Agency is now and
311 how the ARB is built. In context, she said the previous biennium budget is built with inflation,
312 exceptional changes that are approved DAS controlled costs, and Policy Option Packages (POPs)
313 added into it. For the budget as a whole, if there are no changes from one biennium to the next, the
314 Board will only see inflationary based amounts or centralized costs from DAS or the effects of POPs
315 that were accepted. In DOGAMI's particular case, there are no real Agency changes from this
316 biennium to next biennium. She explained the reason there are holes missing in the budget, is the
317 system entry typically takes the last biennium and rolls it forward into the next one, but since the
318 Agency had a one-year budget and the second-year budget had to be added in differently, it caused a
319 glitch. All the reports that would typically be in the ARB are in audit status. The numbers showing
320 have not been audited and there could be changes once it goes through the audit.

321
322 As Ballard started through the Budget Narrative, she said Chair Maffei will need to sign the
323 Certification page by July 31, 2020. Ballard asked Houston to provide a brief description of HB 3309.
324 Houston said in the 2019 Full Session HB 3309 amended the definition of surface mining to exclude
325 certain excavations and grading activities. It also removed DOGAMI's authority to prohibit certain
326 construction within the tsunami inundation zone.

327
328 For the Agency Summary, Ballard said the expenditures are broken down by program area. She
329 emphasized that for Shared Services versus Administration & Technical Services, most of the GS&S
330 staff are in the Administration & Technical Services category. The amounts for Shared Services are
331 more due to the POPs for IT & Server Replacement for \$196,000 and Matching for Grants and Grant
332 Development of \$400,000. The Distribution by Fund Type is a comparison of the Legislatively
333 Approved Budget (LAB) from the last biennium to the proposed budget which is generally higher due
334 to the POPs. Other Funds is higher due to MLRR's ePermitting POP of \$1,000,000.

335
336 Ballard briefly reviewed the Mission Statement and Statutory Authority that describes what the
337 Agency does and why. It includes the Strategic Framework and Key Performance Measures (KPMs),
338 that also briefly describe the reason for the POPs. She stated the placeholder pages are there
339 because of the audit hold and waiting for information.
340
341 The Program Prioritization for 2021-23 is a repeat of the previous biennium and is a breakdown of
342 each program within both GS&S and MLRR, reflecting what DOGAMI does. It also contains a rollup of
343 all the program areas and the MLRR POPs. In DOGAMI there are two main financial programs of the
344 budget, GS&S and MLRR. GS&S has the entire Agency administrative overhead charges, which have
345 not been separated out yet.
346
347 Ballard went through the 10% reduction option scenarios requirement that is a standard part of the
348 budget process. This particular reduction scenario was based on the work done within the last 3
349 months. In the previous scenario, the Fiscal Analyst position was eliminated and in this scenario it is
350 reduced to a half-time position. This scenario also has a Geologist position being reduced to a half-
351 time position.
352
353 Ballard stated the Organization Charts consist of the first-year budget, the second-year budget, and
354 the anticipated/proposed organization going forward for the GS&S and MLRR programs. The MLRR
355 organization charts are based on getting the fee increase.
356
357 Ballard went through the Revenue Forecast Narrative, which is based on the second-year ask of the
358 2019-21 budget, including the POPs. One of the POPs is for the MLRR fee increase in the amount of
359 \$1,560,000 and is built into the graph amount of \$5,299,099. The narrative is a carryforward of the
360 last biennium and discusses how the Agency is funded. MLRR receives funding through the fees they
361 generate for permits. GS&S is for the work being done in support of the grants. Ballard pointed out
362 that the STATEMAP grant has been awarded since 1992 and the current budget already reflects
363 funding in it to match that grant and expects it to continue moving forward, so it is not included in
364 the POP.
365
366 Ballard discussed the GS&S Program Funding and Request, focusing on years 2021-23, stating the
367 future years listed are simply an inflationary factor applied to those numbers. The General Fund ask
368 is \$6,500,460 for the next biennium. The program is expecting \$2,895,279 in Other Funds and
369 \$6,308,753 in Federal Funds, for a total biennium funding need of \$15,704,492. Avy noted the GS&S
370 Program Manager was added in the 2019-21 second-year budget. Chair Maffei asked about the \$1.9
371 million increase. Ballard answered the differences are mostly attributed to \$600,000 for Policy
372 Option Packages, addition of the Program Manager, personnel services inflation, corrected DAS
373 Assessments, and services and supplies inflation. Maffei said it is a lot of money in a budget year
374 when things are going to be tight.
375
376 Ballard reviewed the key points for the GS&S budget breakdown and the types of grant work being
377 done in previous biennia, which are the basis for the 2021-23 estimates. She stated some grants do
378 not allow for contracted services. Ballard briefly went through the two POPs for IT Equipment
379 Replacement ask of \$196,000, and Match for Grants and Grant Development ask of \$400,000.
380
381 Ballard reviewed the MLRR program Budget Narrative. There are currently 11 permanent FTE
382 positions and the same ask will be done in the next biennium. The expected expenditures are

383 \$4,497,689. The budget increases the MLRR program total funding authority by \$727,216. There are
384 two proposed statutes coming through as POPs that may impact the budget, the fee increase and
385 ePermitting.
386

387 The first POP is the Position Alignment for a staff person working out of class; an ISS 4 working as an
388 ISS 5.
389

390 The second POP is for the fee increase which is on two parallel tracks. The Agency is trying to get the
391 increase approved in this biennium but is also asking for it next biennium, to help mitigate the risk if
392 it does not get approved this biennium. If it is approved for this biennium, the POP will be pulled
393 from the ARB. Avy said the POPs are important to present to tee them up for the future even if they
394 do not go through at this time, so the legislature understands the Agency's needs. Ballard said part
395 of approval of the Agency Request Budget is the Board buying off on the asking of the POPs, not
396 having the assumption the Agency will necessarily receive the funding.
397

398 The third POP is for ePermitting, with a total ask of \$1,184,177 going through several biennia. The
399 rest of the placeholders are for systems reports that still need to have auditing completed.
400

401 Ballard said the next section of the ARB is Special Reports that include the Affirmative Action Report.
402 Avy said the Affirmative Action Report is the last one approved for use in the early ARB submittal, but
403 in the fall an updated report will be included in the Governor's Request Budget (GRB). He expects
404 the next one to include more information on Diversity, Equity and Inclusion.
405

406 Chair Maffei asked what the Board will be approving and when. Ballard said some of the
407 placeholders will show historic information of how much money the Agency had in the past versus
408 how much they are asking for. Ballard said the Board should have the information and be
409 comfortable with it before approving the ARB. She expects the audited information later in July. The
410 placeholders will be updated once the audit is completed and the graphics will align with the budget
411 detail. Maffei asked what the information will contain. Ballard said more detailed line item reports
412 that support the summary level graphics.
413

414 Ashford thanked Ballard for keeping them so well informed over the last several meetings, and that
415 there are no surprises in the narrative. He said it was helpful for Avy to talk about some of the POPs
416 and to get them on the table for the legislature to understand the Agency's needs, even if they are
417 not approved. He is happy with the information being provided. Kozlowski agreed. Teeman said it
418 was thorough and well thought out, the asks are reasonable and hopes it gets funded. Chair Maffei
419 stated this speaks to the importance of the previous meetings that were held and getting a sense of
420 what the budget was going to look like ahead of time. Ballard thanked the Board for their nice
421 commentary, that it is helpful for her to understand what information they want to hear going
422 forward.
423

424 Chair Maffei said she believes it is better to wait to see the final numbers from the audit before
425 approving it. Avy agreed and mentioned the narrative and graphics will align with the line items so
426 the Board members do not have to review all of them unless they want to.
427

428 Chair Maffei asked what the DAS audit process consists of, so the Board understands it and is more
429 comfortable giving the final approval. Ballard explained the process, saying the budget information is
430 input into the system, then another group SABRS (a budget development department in DAS) verifies

431 the information. Once it matches and is approved, it is released to be put in the ARB. Ballard asked
432 Renee Klein to explain what SABRS does. Klein said it stands for Statewide Accounting Budget
433 Reporting Services, it is a technical expert group for the budget entry into the Statewide Budget
434 System. They go through the information with a fine-tooth comb to verify that what has been
435 entered is correct, including percentages. Once they are done, it then goes to Klein to review even
436 further and look at more information. She sits in on the budget calls because it helps her to
437 understand and interpret the information she is reviewing. She stated part of the reason it is taking
438 so long for DOGAMI is because of the one-year budget. They had to ask for it to essentially be
439 backed out and put in as an entire two-year budget, which is a tremendous amount of work to do
440 and taking longer than anticipated.

441
442 Chair Maffei said the next special meeting is scheduled for July 28, 2020. This should allow the
443 audited ARB to be completed and provide the Board time to review it before the meeting so it can be
444 approved by the Board. She will then sign the Certification page, and the final ARB can be turned into
445 DAS.

446
447 **Break**

448
449 **7) Grant Budget Monitoring Tool:**

450 Dania Ballard, Chief Financial Officer, and Bob Houston, Interim GS&S Program Manager and
451 Legislative Coordinator, presented the Grant Budget Monitoring Tool for DOGAMI.

452
453 Ballard said this tool is still in the conceptual stage but some of the items that will be shown are a
454 refinement of things the Agency is already doing. As far as processes are concerned, she and
455 Houston have been having monthly meetings with project managers to review project specific
456 financials and discuss how to stay on budget. At the 30% mark of money left on a project, they have
457 implemented a project reforecast for the remainder of the budget to meet the deadlines and stay on
458 budget. A new budget of the remaining work that needs to be completed is constructed, and if
459 variances are identified of where it can possibly go over, they discuss strategies on how to get it
460 underbudget.

461
462 Ballard said the purpose of the tool is to provide analytics: by taking projected hours and funding and
463 comparing it to actual performance; identifying how to best utilize the various expertise of staff; and
464 obtaining a perspective of individual staff workload. It is to inform staff scheduling and manage
465 project timelines and task scheduling. Overall, it is to provide operational metrics for decision-
466 making related to grant management, performance, and agency resource utilization.

467
468 Ballard reiterated the tool is a conceptual draft that is currently in the testing stage. For it to be
469 successful, the actual information will be added in monthly by project managers and the Business
470 Office. She explained a potential issue that should be avoided with this tool is overscheduling of
471 staff. Ashford asked how quickly can the monthly updates take place so project managers can make
472 educated decisions. Ballard said it is about 3 weeks before the project managers will have the
473 information from the previous month. She explained the financial system closes for the previous
474 month by the second or third week, and the Business Office prepares the project specific financials
475 and detail used for meetings with project managers.

476

477 The **Grant Sheet** is a single grant input sheet that collects key information such as duration, budget,
478 fund-type, and direct costs. Ballard provided and discussed an example of a FEMA grant that is filled
479 out by the project manager with the number of hours for each person on the project. She stated the
480 sheets have been tied to other spreadsheets to pull the information over. Ballard reviewed and
481 explained the example in detail. Chair Maffei said it looks like there is still money that has not been
482 spent. Ballard explained that some information has not been included so she could produce the
483 visual, but it will be spent. She said the goal is to spend the grant to within 1% of the total without
484 going over. This is a cultural change for the Agency. Kozlowski asked if this will show what is left on
485 grants. Ballard said it will say "Award Remaining" but this sheet is not meant to inform that statistic.
486

487 The report **Grants All** will show a summary of projections to actual revenue for all the grants on one
488 page. Ballard explained how this will be used to avoid going overbudget. Ashford asked how much
489 manual time will be used to complete this since it is an automated spreadsheet. Ballard said it will
490 happen monthly to keep current and take Business Office staff about 4 hours to input the
491 information, then maybe 4 hours for the project managers to input their information.
492

493 The report **Grants Total** shows total grant projections to actual revenue total for a time period
494 including award by fund type. Ballard said this spreadsheet is useful because it provides a total idea
495 of what the projected expenses are for all the projects; the bottom shows the distribution of Federal,
496 Other and General Funds that helps the Agency work with DAS to project what the cash flow will be
497 for revenue earned. It is a tool to help better manage the cash flow. The same spreadsheet
498 populates the report **Grants Individual**, which shows individual grant projections to actual revenue
499 total for the time period, including award by fund type.
500

501 The report **Employees All** is the monthly summary of scheduled hours by employee on projects.
502 Ballard stated this shows the scheduled hours for each staff member so they can see where staff may
503 be overbooked or underbooked, to allow the Program Manager to better align and balance the
504 workload and to help balance schedules. An example is Geologists, if the expertise is transferrable
505 amongst different people, that could mean rescheduling staff to work on different projects to better
506 balance the workload. She said it could also lead to the possible need to extend a grant or ask for a
507 no cost extension, to best meet the needs with the expertise availability that the Agency has.
508

509 The report **Employees Individual** is a monthly summary of scheduled hours for an employee. Ballard
510 provided an example of one employee to look at all the projects they are working on, and to see if
511 there is flexibility in a project to be rescheduled to a different timeframe. This view helps identify
512 who to talk to, which project manager to work with in terms of balancing staff.
513

514 The report **Expertise Capacity** is a monthly scheduled capacity by expertise. Ballard said it is a
515 summary view of the Agency's expertise as a whole; how well are they staffed and how does the
516 Agency balance it. She said the position titles will change as they try to get closer to what staff are
517 doing. Ashford asked if someone shows 200%, what does that mean. Ballard explained that multiple
518 project managers planned the staff's time for that period, and it is unrealistic, causing the Program
519 Manager to talk to project managers to shift the timeline in order for the work to get done. She said
520 this tracking sheet will also help determine when to balance the workload based on each type of
521 expertise and it could help to determine if the Agency needs to hire a particular classification of staff.
522 Ballard said this includes help in determining if another position should be included in future biennial
523 asks.
524

525 Chair Maffei asked a question about information not matching up and if it is related to the tool still
526 being in development. Ballard answered it could be because she closed it off at a previous month. It
527 may not have been entered in for the full amount of the grant because there are grants that go two
528 years out and the full schedule was not available for the entire two years. She also stated that she
529 can narrow the report down to a specific timeframe to calculate just that time period. Maffei asked
530 how will the project manager know how much money is left on a grant, so they do not overspend, as
531 the one spreadsheet does not look like it accurately represents what they have left on the grant.
532 Ballard said there are two places for that, the Monthly Project Financials and the projections versus
533 actuals, but it is the Monthly Project Financials which will show how much money is left on a project.
534 Maffei said her concern, with this particular spreadsheet, is that because of that control of the month
535 at the top, it gives the impression there is a higher percentage of the grant left when it is not the
536 case. Ballard said that is a fair statement and it will be changed. Maffei said it does not look like
537 reality and thinks this is the Agency's exact problem with project managers not knowing how much
538 money is left on a grant. She wants the spreadsheets to accurately represent what is really available.
539 Ballard said she appreciated the feedback and the fix will be made. Maffei said with all the problems
540 in the past, it is nice to see a program coming together that will help the staff and Board, and to be
541 able to represent to the world that DOGAMI is doing what they can to track it.

542
543 Briefing: **No Board Action Required.**

544

545 **8) Project Pipeline Approval Process:**

546 Bob Houston, Interim GS&S Program Manager and Legislative Coordinator, presented the Project
547 Pipeline Approval Process for DOGAMI.

548

549 Houston went through the Project Pipeline/Grant Approval process timeline and provided the
550 following major takeaways.

551

552 Project Idea

553 Potential project ideas are commonly sourced through well-developed professional relationships,
554 networks, and partnerships. Project ideas typically develop a fundamental understanding of
555 geoscience information to help decision makers solve geologic-based concerns. Provides earth
556 science information and regulation to make Oregon safe and prosperous. Project idea timeframe
557 could be 1 week to +10 years.

558

559 Initial Project Concept Discussion

560 Staff and GS&S Program Manager meet to explore the concept and criteria to scope the project to
561 determine if the concept should be further developed. Initial project concept discussion timeframe is
562 1 week to 2 months.

563

564 Project Criteria

- 565 • Justification/need/benefits
- 566 • Alignment to:
 - 567 ○ Agency's Mission
 - 568 ○ Strategic Framework
 - 569 ○ Duties of the Agency – ORS 516
 - 570 ○ Key Performance Measures

- 571 • Estimated budget
- 572 • Limitations on charging indirect funds
- 573 • Matching funds or in-kind match requirement
- 574 • Ability to leverage work to help other projects
- 575 • Publication and public outreach
- 576 • Timeframe
- 577 • Number of staff and staffing capacity
- 578 • Expertise required
- 579 • Geologist of Record
- 580 • External project partners
- 581 • Funding entities and source type
- 582 • Type of agreement
 - 583 ○ State or Federal Grant
 - 584 ○ Inter-Agency Agreement (IAA)
 - 585 ○ Task order, etc.
- 586 • Need for a subcontractor
- 587 • Potential challenges or concerns
- 588 • Need for Legislative authorization to proceed (10-day letter)
- 589 • Board’s grant selection/grant management guidance

590
 591 Houston stated the Board gave the Agency guidance on avoiding grants with high administrative
 592 costs or increased match requirements, and low total budget amounts where it is not a benefit for
 593 the Department since it would cost more to go after and manage. The Agency is conscientiously
 594 flagging those grants as they come through the process.

595
 596 Project Pipeline Proposal Development

597 The project manager and GS&S Program Manager review the potential project’s primary budget
 598 criteria with the CFO. Concurrence from the CFO initiates development of the Project Pipeline
 599 Proposal and budget details for Leadership Team review. The GS&S Program Manager schedules a
 600 Project Pipeline Proposal presentation to Leadership Team for authorization to proceed. The Project
 601 Pipeline Proposal development timeframe is 1 to 2 weeks.

602
 603 Primary Budget Criteria

- 604 • Budget, task-oriented expense, on-task expense contingency, services and supplies
- 605 • Limitations on charging indirect funds
- 606 • Matching funds or in-kind match requirement
- 607 • Ability to leverage the work to help other projects

608
 609 Project Pipeline Proposal Leadership Team Presentation (spreadsheet examples)

610 Staff presents a scoped Project Pipeline Proposal and budget to the Leadership Team. The
 611 Leadership Team reviews the complete criteria as presented in initial project concept discussion
 612 phase. The Leadership Team may authorize the Project Pipeline to proceed to next steps, amend
 613 proposal, or deny approval with an explanation of concerns. The Project Pipeline Proposal
 614 Leadership Team presentation timeframe is 1 to 2 Leadership Team meetings. Examples of a Project
 615 Pipeline Proposal and Grant Budget build were shared with the Board. Houston said together these
 616 are reviewed by the Leadership Team for determination if it will proceed at that time.

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Project Pipeline Proposal Refinement

With Leadership Team’s authorization to proceed, the project manager finalizes the project scope, goals, budget, deliverables, communications plan, closure plan, and obtains all necessary pre-application agreement signatures. Preliminary scoping and refinement with the funder often occur during this phase and it can be a very iterative process. The project manager holds frequent meetings with the GS&S Program Manager to review the proposal, deliverables, and budget to ensure the project remains on scope and within mission. The GS&S Program Manager may request Technical Review Committee review depending on the complexity of the proposal. Houston said up to and including this phase of the pipeline process the Agency is unable to bill this work to any existing grant. All of the grant development work, from project idea to grant award, is billed to and requires General Funds and highlights the need for our Policy Option Package 101 – Match for Federal/Other Fund Grants and Grant Development. The project manager holds a kick-off meeting as a follow-up with project team associates to discuss the project. Project Pipeline Proposal refinement timeframe is 1 week to 3 months.

Legislative Authorization (10-day letter)

The GS&S Program Manager, Legislative Coordinator, and Director coordinate with the Governor’s Office, DAS-CFO, and Legislative Fiscal Office to determine if legislative authorization is required to proceed with the grant application, which is commonly known as a 10-day Letter. If the legislative authorization is required, the project manager will work with the GS&S Program Manager and CFO to prepare a letter for the Director to submit to the Governor’s Office, DAS-CFO, and Legislative Fiscal Office; followed by a presentation to the Joint Committee on Ways and Means Subcommittee on Natural Resources. Legislative authorization timeframe is 1 day to several weeks.

Grant Application Submittal to Funder

Following any required legislative authorization, the project manager works with the CFO to obtain all signatures and approvals to submit the grant application to the funder. Status updates are provided to the GS&S Program Manager. Grant application submittal to funder timeframe is <1 week.

Grant Awarded (grant tracking tool updated)

On notification of a grant award, financial systems are updated, and budget and staff hour projections are entered into the Grant Tracking Tool. Houston said this allows them to have accurate information for the monthly project meetings. The project manager holds a kick-off meeting with the Technical Review Committee, Geologist of Record, technical reviewer, and staff associates. **There is a clear and consistent commitment across the Agency that all projects will be prevented from going overbudget, whatever that requires.** Grant award timeframe is 3 to 6+ months.

Project Research (including 30% budget remaining)

With the commencement of work, the CFO and the GS&S Program Manager hold monthly meetings with the project manager throughout the period of the grant to ensure the grant remains underbudget, progressing to completion within the timeframe of the deliverable. The GS&S Program Manager and CFO in collaboration with the project manager evaluate monthly grant work progress, budgets and assign staff hours. When the grant funds are nearing 30% direct budget remaining, a detailed budget reforecast of the remaining funds is conducted to ensure the project deliverables are

663 completed underbudget. These meetings become more frequent as the project nears completion.
664 **There is a clear and consistent commitment across the Agency that all projects will be prevented**
665 **from going overbudget, whatever that requires.** Project research timeframe is 0.5 to 5 years for
666 grants; 1 week to several weeks for Inter-Agency Agreements and other agreements.

667
668 Project Delivery and Final Closure

669 Following completion of the project deliverables, an after-action review is conducted to determine
670 areas of the project that went well or need improvement. The Business Office completes a final
671 financial closure for the project and requests for final closure of the project in the state system.
672 Project delivery and final closure timeframe is 3 months to 1 year.

673
674 Staff task hours and expenditures of the initial grant budget are reviewed to further refine future
675 similar grant applications.

676
677 For the overall timeframe of Project Idea to Final Closure, Houston said it can take one month for an
678 IAA, most grants take 1 to +5 years, and some projects could take over 10 years before the right mix
679 of funding can be identified.

680
681 Ashford said he is happy with the direction the Agency is going but the proof will actually be in
682 implementing all of it. He stated part of it is the plan that the Agency will not leave money on the
683 table and will plan to spend out all the money in each grant. Ballard explained the first priority is to
684 not go overbudget, but if they find there is more budget remaining, they will contact the funder to
685 see if they can add another task without going overbudget. Houston added that as it gets closer to
686 the end of the project, they have more frequent financial meetings to ensure the grant does not go
687 overbudget. Chair Maffei verified that a contingency is being built in without going overbudget.

688
689 Teeman said this new process may make DOGAMI more competitive on some grants. She also thinks
690 this is heavier on the front end, but will make the mid-grant and final-grant reporting a whole lot
691 easier and asked if that had been a consideration. Ballard said those are true statements. In terms of
692 the budget, communication with the funder, and doing monthly financial processing, has allowed the
693 Agency to be more precise at grant reporting and is allowing DOGAMI to be better organizationally
694 setup to be able to respond to funder needs. Chair Maffei said it is clearly more work on the front
695 end but will make it more efficient.

696
697 Chair Maffei thanked Ballard and Houston for all the work they are doing to keep the Agency from
698 going overbudget.

699
700 Briefing: **No Board Action Required.**

701
702 **9) MLRR Update:**

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

704
705 Please note, included in this packet is the ENGAGe Special Pandemic Edition May 2020 newsletter
706 being sent out and can also be found online: <https://www.oregongeology.org/mlrr/engage.htm>

707
708 Permit Status Summary

709 Lewis reviewed the detailed list of permits. Lewis said with COVID protocols in place, they are
710 prioritizing the limited number of inspections they are doing to ones that are required for moving
711 forward with some kind of action, which include complaints, and new permit and amendment
712 permits that require a site inspection by a Reclamationist. They have also done a few site closures.
713 This will affect the KPM for next year, but it is unavoidable. There are some agencies not doing site
714 inspections at all.

715
716 Lewis stated the permits are being processed on an average of under 6 months and the numbers are
717 staying consistent. She is expecting two to three more Civil Penalties for the September meeting,
718 which will take the Agency through the first year of Civil Penalties. Every renewal will have seen the
719 new procedure at that point. She feels this program is a success.

720
721 A special Pandemic Edition newsletter has been sent out to address permittee concerns. MLRR has
722 been receiving many more complaints because people are now working at home and community
723 members have been more involved with quarry sites. There have been more Public Records
724 Requests as well.

725
726 MLRR held their first Rules Advisory Committee (RAC) meeting in the beginning of July for rulemaking
727 on HB 2202 High Value Farmland in the Willamette Valley. Attendees included representatives from
728 OCAPA, the Farm Bureau, Department of Land Conservation and Development, Department of
729 Agriculture, Department of Justice and DOGAMI. They anticipate one or two more meetings and
730 hope to have made significant progress by September. Lewis said this is one of the good things that
731 the department is still working on moving forward even during this time of budget uncertainty and
732 telework.

733
734 Staff continue to be incredibly committed to the mission of the Agency and to making the program as
735 successful as they can, given the restrictions they are working with. They are also working on a
736 county outreach pamphlet, which is about six to seven pages that they plan to send to counties and
737 other government entities to help them better understand what DOGAMI does and where the
738 challenges are with the process.

739
740 They are participating in a state initiative of a pilot program to receive satellite imagery for the entire
741 state. They are coordinating with the State's centralized technical services and other natural
742 resource agencies to receive access to as frequent as daily satellite imagery at a resolution high
743 enough for them to make a determination of on-site conditions. She said an example is the Civil
744 Penalty case presented, they were able to look at imagery from a project called "Planet Labs" and
745 were able to fine tune the week during which the majority of the new operation had occurred. There
746 is currently no charge for it with the exception of staff time to look over the imagery, but she is
747 hopeful that MLRR can be a test case to show how important it is to have this kind of data. Along
748 with other resource agencies, DOGAMI may be able to be part of a bigger effort to provide this kind
749 of real time information to help decision making with respect to what is going on across the land.
750 She hopes to have more news about this at the September meeting.

751
752 Lewis said regarding Grassy Mountain, she speaks with Calico twice a month. The indications are
753 they expect to start scheduling meetings with state agencies in the coming months. This means they
754 are working on developing the additional information requested during the Completeness Review
755 done back in February. She expects more activity to start in late summer or early fall.

756

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

758

759 **10) GS&S Update:**

760 Bob Houston, Interim GS&S Program Manager and Legislative Coordinator, provided an update on
761 the GS&S program.

762

763 Houston provided the Board with a map of the state showing where all the grant work is being done
764 by the Agency. He said there are three statewide projects effecting the entire state that DOGAMI is
765 working on, the Data Preservation Grant, a Landslide Warning System, and Building Footprints.

766

767 The **Project Concepts in Development** (pre-award phase) are what are currently in the system being
768 tracked. The earlier presentation depicts what these concepts need to proceed through. He said the
769 **Pre-pipeline Concepts** is where it is the idea and when he is working with project managers to
770 develop the grant by answering the criteria questions before it is presented to the Leadership Team.
771 There was approximately \$750,000 worth of grants/projects in this stage when the Board packet was
772 done, with an additional grant identified for \$450,000 for a total of \$1,200,000 of potential activity
773 coming to the Leadership Team for review and approval. The Leadership Team **Approved Pipeline**
774 **Projects** have been presented to the Leadership Team and approved to move forward and are in the
775 refinement stage in prepping to file the grant application online. There is approximately \$175,000
776 worth of projects in this stage. The **Submitted Applications** have been through the full application
777 submittal phase, including legislative authorization (10-day Letter), being submitted to funders, and
778 are awaiting award notification. The total being submitted to the funders is approximately
779 \$1,190,000. There is a total of \$2,569,000 for all the identified projects the Agency has a potential of
780 seeking.

781

782 **Active Projects** (awarded) - Grant Number 1-25: is a total of active projects in the research phase.
783 The charts show the awarded values, broken down by direct and indirect budget in different views.
784 These are also broken out by grants and Inter-Agency Agreements (IAA). The IAAs are often a
785 legislative requirement in the other agencies for which they utilize DOGAMI's expertise. The total for
786 these projects is \$4,298,000, with \$3,500,000 being in direct funds and \$700,000 in indirect funds.
787 Houston went through an example of a FEMA grant to demonstrate how the grant tracker sheet will
788 help reflect if a grant needs to be extended or have a scope change.

789

790 **Project Workload Complete** (pending final grant closure) - Grant Number 26-62: represents those
791 grants that have completed the geologic research and are now in the final financial wrap-up. Some
792 of these grants go back to about 2016 and are going through the system to be closed out through the
793 Statewide Financial Accounting System. Houston said this is a workload staff are unable to bill to
794 anymore. He mentioned this is where they are having after-action conversations with the project
795 manager, Program Manager and CFO to inform the next round of grant applications to get better
796 targeted budgets.

797

798 Houston discussed what has been happening for the GS&S program in 2020. Five Open-File Report
799 publications have been released. Process improvement documents have either been updated or
800 created. Communication improvements have been taking place through one-on-one, small groups,
801 or all-staff meetings, and a listening session.

802

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

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11) Director’s Report:

Director Avy presented his Director’s Report on the following:

Program Manager Recruitment – Geological Survey & Services Program

Avy said the recruitment for the position posted on June 30, 2020 and it closes July 30, 2020. This is the position that was added in the second-year budget. This position will facilitate continued progress within the program.

Internal Communications Plan Update

Avy stated the Leadership Team has met a couple of times to maintain the Internal Communications Plan as a working document; an update will be shared with the Board shortly. A running list is being kept of staff ideas/suggestions. One part of the plan that has been helpful is weekly reports from staff to their supervisors. It provides an opportunity to address emerging issues that need attention. It is a reference point and written record for the Agency to monitor and act on the items.

Strategic Planning 2022-2028

Avy discussed the past efforts made on the 2015-2021 Strategic Framework to create implementation items to move it into a Strategic Plan. The next Strategic Plan is for 2022-2028. There is currently some funding set aside for a facilitator for this work. Efforts should be starting in the fall and by that time the Agency should know if it still has funding for a facilitator.

DOGAMI – A Sense of Urgency

Avy said from his perspective, and to acknowledge the Leadership Team and staff, there has been no let up on the intensity around financial discipline. This is related to resolving financial issues, last year layoffs; settling Calico disputed charges and increased project activity; gaining DAS and legislative approval to apply for grants; navigating the 2020 Short Session with its successes and disappointments regarding the second-year budget and MLRR fee increase; E-Board approval for the second-year budget (one week before initiating Agency wide-layoffs); and the challenges of recent layoffs. Looking forward, we are anticipating an upcoming Special Session and are hopeful there will be a place on the agenda for the MLRR fee increase. Uncertainty remains regarding potential staff reductions following upcoming revenue forecasts and overall statewide budget balancing in the 2021 Legislative session. Avy acknowledged staff across the Agency for staying on task with a sense of urgency.

Chair Maffei thanked him for his efforts and appreciated him summarizing of where the Agency has been and where it is going.

Briefing: No Board Action Required.

12) Confirm Time and Date for Next Meeting:

Chair Maffei stated the next DOGAMI Board is currently scheduled for Friday, September 25, 2020 at 8:30 a.m. – 1:00 p.m. in Portland. She confirmed this date is still acceptable for the Board. The next regular meeting will include KPMs and the Director’s Evaluation. Maffei said the Evaluation should

848 go to the same recipients as last time and she will work with Sherry Lauer, at DAS HR, to get the
849 survey out. The next revenue forecast is September 23, 2020.

850
851 Chair Maffei said the potential Special Board meeting currently scheduled for 8:30 a.m. – 10:30 a.m.
852 on Tuesday, July 28, 2020 will be held to discuss and approve the 2021-23 Agency Request Budget
853 (ARB). The Board agreed to also include Civil Penalties on the meeting agenda.


854
855 **13) Public Comment:**

856 Only written comments received prior to or by 1:00 p.m. on the day of the meeting were to be
857 accepted. Chair Maffei asked for any written public comments. No public comments.

858
859 **14) Board Adjourn:**

860 Chair Maffei adjourned the meeting at 12:29 p.m.

861
862 APPROVED

863
864 
865 _____
866 Laura Maffei, Chair
867