



## OREGON DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES

### **MEETING SUMMARY TECHNICAL REVIEW TEAM GRASSY MOUNTAIN GOLD MINE PROJECT**

**January 16, 2020  
1:00 pm (Pacific) Time  
Teleconference/Public Access at the Portland State Office Building**

#### **Attendance:**

##### Committee Members

- Sarah Lewis, Oregon Department of Geology and Mineral Industries (DOGAMI)
- Bob Brinkmann, DOGAMI
- Ian Madin, DOGAMI
- Becky Johnson, DOGAMI
- Tom Segal, Oregon Department of Fish and Wildlife (ODFW)
- Trevor Watson, ODFW
- Nigel Seidel, ODFW
- Phil Milburn, ODFW
- Joy Vaughn, ODFW
- Randy Jones, Oregon Department of Environmental Quality (DEQ)
- Doug Welch, DEQ
- Rick Hill, DEQ
- John Dadoly, DEQ
- Ron Doughten, DEQ
- John Jinings, Oregon Department of Land Conservation and Development (DLCD)
- Phil Marcy, Oregon Water Resources Department (WRD)
- Jackie Cupples, United States Fish & Wildlife Service (USFWS)
- Shauna Everett, USFWS

##### Others in Attendance

- Adam Bonin, Cardno
- Adele Pozzuto, Cardno
- Nancy Wolverson, Calico Resources (Calico)
- Christo Theodossiou (introduced himself as Chris Theo), Paramount Gold Nevada
- Jeremy Austin, Oregon Natural Desert Association (ONDA)

#### **Meeting Summary:**

The Technical Review Team (TRT) met to discuss the evaluation of completeness of the Consolidated Permit Application (CPA; submitted by Calico on November 15, 2019) and the agencies' readiness to draft permits. The meeting was chaired by Sarah Lewis (DOGAMI) with assistance from Adam Bonin (Cardno), who will be providing project management and meeting facilitation assistance during the 90-Completeness Review Phase. Per requirements, the meeting was recorded to maintain a record under the Oregon Public Meetings Law. Materials shared at the meeting were accessible via AT&T web meeting. Public access was provided at the DOGAMI Portland Office. Topics covered during the meeting included:

- Grassy Mountain Project status and responsibilities of TRT,
- Status of the remaining Baseline Data Reports (BDRs) requiring TRT approval,
- Overview of the CPA completeness review process,
- Review of agency readiness to draft permits and approvals,
- Items noted for further discussion, and
- Action items and next steps.

A summary of these topics is provided below.

#### Grassy Mountain Project Status and Responsibilities of TRT

- The last TRT meeting was held during the pre-application phase (November 28, 2018).
- The CPA was received November 15, 2019, which triggered a 90-day Completeness Review Cycle.
- TRT tasks and responsibilities:
  - Approval of remaining baseline data, including Geochemistry, Groundwater, Wildlife, and Cultural Resources, and
  - CPA completeness review.
- Permitting and cooperating agencies are currently reviewing for completeness the information provided in the CPA, which includes but is not limited to
  - For permitting agencies, elements required by statute and rule, and permit applications to individual agencies, and
  - For cooperating agencies, that the information is sufficient to draft permit conditions.
- A CPA can be deemed complete with the following:
  - All BDRs approved by the TRT,
  - Presence of all elements required by statute, rule, or other requirements previously identified by the TRT during the pre-application phase, and
  - A determination that elements and conclusions are well-supported by the information provided in the CPA.

#### Status of the Remaining BDRs Requiring TRT Approval

- Geochemistry BDR:
  - Motion brought forward to the TRT from the Geochemistry Subcommittee by Bob Brinkmann (DOGAMI): *The Geochemistry Subcommittee agrees that the Geochemistry Baseline Data Report submitted with Calico's Consolidated Permit Application dated November 15, 2019 is deficient as described (see January 14 Geochemistry Subcommittee Meeting Summary), and should not be approved by the TRT until these deficiencies have been resolved.*
- Wildlife BDR:
  - Motion brought forward to the TRT from the Wildlife Subcommittee by Tom Segal (ODFW): *The Wildlife Subcommittee agrees that the Wildlife Baseline Data Report submitted with Calico's Consolidated Permit Application dated November 15, 2019 is deficient as described (see January 14 Wildlife Subcommittee Meeting Summary), and should not be approved by the TRT until these deficiencies have been resolved.*

- Groundwater BDR:
  - Motion brought forward to the TRT from the Water Resources Subcommittee by Phil Marcy (WRD): *The Water Resources Subcommittee agrees that the Groundwater Baseline Data Report submitted with Calico's Consolidated Permit Application dated November 15, 2019 is deficient as described (see January 14 Water Resources Subcommittee Meeting Summary), and should not be approved by the TRT until these deficiencies have been resolved.*
- Cultural Resources BDR:
  - In August 2019, the State Historic Preservation Office (SHPO) requested additional information from the Bureau of Land Management (BLM), Calico, and its consultants. That information is expected in the next couple of weeks.
  - Cultural Resources BDR is not ready for approval at this time due to the lack of key resource information in the project area.
- No other state or federal agencies had comments on the status of BDRs.
- There were no objections to motions put forward by the TRT Subcommittee members.

#### Overview of the CPA Completeness Review Process

- An overview of the four review categories in the CPA Completeness Review Form was presented to the TRT members:
  - i. Category 1: Work Plan Conformance
  - ii. Category 2: Document Completeness
  - iii. Category 3: Draft Permit Considerations
  - iv. Category 4: Best Practices
- An introduction was provided to the matrix that tracks permits and CPA sections to review by each agency. The matrix was expanded from the table in Calico's CPA cover letter based on their assumptions regarding what sections the permitting agencies would review. Cooperating agencies were added to the matrix, and the "CPA Text" was broken out by major report section.
- As defined in statute, completeness cannot be determined until after a public hearing.
- If the CPA is determined to be incomplete, another 90-day review period would be triggered following the receipt of a revised CPA.
- Once the CPA is determined to be complete, a Notice to Proceed is issued to initiate the permit drafting phase.

#### Agency Readiness to Draft Permits

- DOGAMI stated that as readiness is not defined in statute (OAR 632-037-0080), it is the responsibility of each agency to make that determination.
- **DEQ status:** The agency is still reviewing the CPA for completeness and is not ready to specify where deficiencies have been identified. Specific comments are forthcoming. Land use is considered vitally important, and DEQ has the authority and duty to review land use goals and determine compliance. DEQ is not ready to draft permits at this time.
- **WRD status:** The original water right permit was received in 1989. A permit amendment is all that was required, and this has been completed. WRD will be responsible for approving design and operation of the dam associated with the tailings storage facility (not a permit but an authorization). DOGAMI has requested that WRD review the CPA for dam safety risk categorization. As-built drawings will need to be reviewed and approved.

- **DOGAMI status:** Ready to draft aggregate operating permit for the basalt quarry, which is the only DOGAMI individual permit.
- **DEQ** requested clarification of DOGAMI's permitting authority:
  - The Consolidated Permit will include conditions drafted in coordination with permitting and cooperating agencies, as well as conditions set by individual agencies in accordance with agency's statutory authority.
  - Aggregating effort of all agency conditions of approval will be important to identify and resolve any potential conflicts.

High-level initial concerns identified during permit drafting readiness discussion included the following:

- **WRD primary concerns:** Potential effects to spring flow during dewatering or pumping for production, which may result in certain permit conditions such as monitoring. DOGAMI has statutory authority to work with WRD to address these concerns. WRD is reviewing sections on groundwater resources, well abandonments, well field monitoring, and production.
- **DEQ primary concerns:** Timing for TRT and DEQ to determine whether Calico's proposal represents the best, available, practicable, and necessary technology (BAPNT). The tailings storage facility is a primary feature of the proposed facility that will need to be reviewed in this regard. This may be more of a permit condition question rather than a completeness issue. DEQ also stated that a discussion is needed regarding Calico's estimated weak acid dissociable cyanide (WAD cyanide) discharge concentration (to the tailings storage facility), as that can inhibit Water Pollution Control Facility (WPCF) permit drafting.
- **DOGAMI:** Still reviewing the CPA, and no major obstacles or hindrances have been identified to meeting completeness review deadline. Main concern is determining what sections will be reviewed by sister agencies, as DOGAMI must take responsibility for those remaining sections.
- **ODFW:** Still reviewing the CPA, and comments are forthcoming on incompleteness and deficiencies. They are having difficulties tracking compliance, including where state standards have been addressed. For example, the wildlife protection plan is missing. Need to update based on new sage grouse mitigation rules and a habitat functionality assessment. Mitigation is conceptual in the CPA but not in compliance. Requests technical support in assessing toxicity impacts to wildlife. In addition, appropriate spatial information and data (e.g., uncorrupted shapefiles) need to be available to properly review the Wildlife BDR and determine the CPA's overall completeness.
- **SHPO:** Awaiting information from BLM that is forthcoming on eligibility determinations and findings of effect.
- **USFWS:** Reviewing information on federally listed and protected species. Mitigation, chemical toxicity (e.g., cyanide), and spring water availability to wildlife are significant concerns.

#### Items for Further Discussion

1. DEQ asked how the TRT will identify BAPNT (e.g., cement rock fill, liner, leak detection, cyanide processing) and DOGAMI's required timing for this analysis.
  - DOGAMI's position is that this completeness review phase does not require a review of BAPNT.

2. DEQ also discussed concerns over WAD cyanide and scalability of the TSF (beyond Calico's batch testing).
3. Monitoring plans were also discussed by TRT members, and impacts to springs were a common theme.

Action Items/Next Steps:

1. Complete CPA completeness review forms and formal cover letter no later than February 3, 2020 (some opportunity to follow up with additional comments after this date, if required).
2. Randy Jones with DEQ to send DOGAMI edits to permit matrix identified during the call.
3. PCC Meeting to be held February 12, 2020, in Ontario, Oregon. A teleconference line will be provided for call-in participation by PCC members.
4. Friday February 14 is a tentative date for a follow-up TRT meeting to make a formal determination of CPA completeness.
5. DOGAMI to distribute the permitting matrix and comment forms to TRT members on Friday January 24.