

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

Tuesday, September 27, 2022

8:30 a.m.

Virtual Public Meeting

**1) Call to Order:** (Scott Ashford, Board Chair)

Chair Scott Ashford called the meeting to order at 8:32 a.m.

**2) Introductions:** (Scott Ashford, Board Chair and Staff)

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

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

Ruarri Day-Stirrat – Director/State Geologist

Sarah Lewis, MLRR Program Manager

Lori Calarruda, Recording Secretary/Executive Assistant

Alex Lopez, Public Affairs Coordinator

Steve Dahlberg, Chief Financial Officer (CFO)

Jason McClaughry, Interim GS&S Program Manager

Laura Gabel, Coastal Field Geologist

Christina Appleby, Legislative Coordinator/Geohazards Analyst

Jeff Lulich, Reclamationist

Becca Misho, Reclamationist

Telicia Hixson, Natural Resources Specialist Intern

Dayne Doucet, Consolidated Mining Permit Lead

Cari Buchner, Mining Compliance Specialist

Others in attendance:

Diane Lloyd, Department of Justice (DOJ)

Sione Filimoehala, DAS Office of the Chief Financial Officer

Erica Medley, Member of the public/new Board Member starting 9/28

Anne MacDonald, Member of the public/new Board Member starting 9/28

**1) 3) Introduction of New Board Members:**

2 Chair Ashford introduced new Board Members Anne MacDonald and Erica Medley, who were  
3 confirmed by the Senate on Friday, September 23, 2002. Their terms begin on Wednesday,  
4 September 28, 2002.

5  
6 Erica Medley is an Engineering Geologist, and has been working for the Army Corps of Engineers for  
7 ten years; her specialty is in quantitative risk assessments for high-risk federal dams.  
8

9 Anne MacDonald is a geomorphologist, environmental and engineering geologist currently working  
10 for Clean Water Services in Washington County.

11  
12 **4) Review Minutes of June 16, 2022 and July 13, 2022 Board Meetings:**

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

14  
15 Board Action: **Jeremiah moved to approve the minutes of June 16, 2022 and July 13, 2022 as**  
16 **submitted. Kozlowski seconded. Motion carried.**

17  
18 **5) Financial Report:**

19 Steve Dahlberg, Chief Financial Officer, presented the DOGAMI FY2021 Budget Status Report, as of  
20 July 31, 2022, for the Geological Survey and Services (GS&S) and Mineral Land Regulation &  
21 Reclamation (MLRR) programs.

22  
23 Dahlberg stated the financial actuals and projections are in the Board Packet, and his presentation  
24 will be on highlights and a financial summary.

25  
26 For the highlights, Dahlberg said Legislative Days were last week, and DOGAMI's request for approval  
27 to apply for a USGS Data Preservation Grant was approved. This past quarter, DOGAMI received  
28 three grant awards: BLM \$75,000, over three years; NOAA \$400,000, over one year; and FEMA \$1.1  
29 million, with multiple awards spanning three years. The Lidar Consortium has many projects and will  
30 finish up two Lidar projects, one for Elliott State Forest in Coos County, and one in Klamath County.

31  
32 DOGAMI is expecting the CFO Analysts recommendations of its budget and POPs later this week. The  
33 Agency will have an opportunity to appeal the analyst's recommendations within 48 hours, which will  
34 then be followed up with an in-person meeting in Salem to discuss the merits and the values of the  
35 POPs.

36  
37 Currently, GS&S has a General Fund budget of \$6.4 million, with planned expenditures of \$5.2  
38 million, resulting in being \$1.2 million under budget; which is 18.5%. This trend continues to show  
39 staff are working more on Federal Funds resulting in less time on General Fund. This also has an  
40 impact of additional indirects, which are charged to Federal Funds, that actually benefit the General  
41 Fund. The Agency has started specific project work that had previously been put on hold; which  
42 include increased data processing efficiency, critical mineral research, and continued post-fire debris  
43 flow research.

44  
45 Other Funds and Federal Funds are very strong. Federal Funds continues to have a strong outlook,  
46 and the current ratio between the two is 15% Other Funds and 85% Federal Funds. As a reminder,  
47 federal funders are BLM, FEMA, NOAA, and USGS, and for Other Funds, the largest three funders are  
48 the Department of Land Conservation and Development (DLCD), the Universities, which are the  
49 University of Oregon and University of Washington, and Department of State Lands (DSL). The  
50 Agency is currently developing some new grant proposals for Other Funds. The Agency is going to be  
51 about \$1.5 million under the limitation budget in Other Funds. Federal Funds has a \$5.8 million  
52 limitation budget, and the Agency will spend \$5.4 million.

53  
54 MLRR's overall workload is increasing, and staff are working hard to keep up with it. Revenues are  
55 meeting expectations and steady spending are resulting in meeting the 6-month operating reserve

56 target. MLRR's budget is \$4.3 million and the expenditures are coming in at \$4.1 million; leaving the  
57 Program \$200,000 under budget.

58  
59 Chair Ashford asked if the \$5.5 million budget is what has been approved by the Legislature to spend,  
60 and also what is the difference between the budget and what is spent on grants. Dahlberg explained  
61 the Agency asked the Legislature for the specific amount to spend, which was approved, but they do  
62 not determine where the money comes from.

63  
64 Chair Ashford then asked if being underbudget on Federal Funds means the Agency returns some of  
65 the money. Dahlberg said it is two different things, the goal is to meet the needs and the  
66 requirements of the federal grant and to spend the money that has been approved for DOGAMI to  
67 spend.

68  
69 Dahlberg went through the projections requested by Chair Ashford. He explained the General Fund  
70 projection is off by roughly 9%, as there was reduced spending in June and July due to increased  
71 Federal Funds.

72  
73 Federal Funds represents about 85% of the combined Other Funds and Federal Funds grant revenue  
74 and expenses for the biennium. The shift in personnel cost from General Fund is based on the  
75 current grant load, as well as the increased Lidar work. Dahlberg said the projection is off about 13%.

76  
77 Other Funds has fewer grants than planned and is off by about 10%, which is due to a strategic  
78 decision to go after larger grants; there is an expectation the Agency will have more grants in the  
79 next biennium.

80  
81 MLRR Other Funds is driven from permit fees. The Program has a very consistent expense trend and  
82 personnel projection model that has been dialed in; the projections are just as predicted with a  
83 variance of 6%, which is on target.

84  
85 Dahlberg said DOGAMI is doing well with a very healthy outlook for the future. He is confident in the  
86 projections and continues to update them. The Agency is looking forward to continued partnerships  
87 with various State and federal agencies to meet their needs and requirements. DOGAMI works as a  
88 team as it drives towards long-term success. The Agency keeps the LFO and CFO analysts, as well as  
89 the Governor's Office, updated on its progress.

90  
91 Chair Ashford said he is happy to see that the trends and projections are doing well and it is great to  
92 see how the information on the grants now allows staff the ability to make a conscious decision to  
93 focus on the larger grants.

94  
95 Kozlowski said it is great to see where the Agency is, compared to a couple of years ago, which is very  
96 different. It is exciting to see the analytics and be able to compare where the Agency is and what the  
97 projections are. She has greater confidence in the numbers. It is an excellent job! Jeremiah dittoed  
98 Kozlowski's comments.

99  
100 Board Action: **Kozlowski moved to accept the Budget Status Report as presented. Maffei**  
101 **seconded. Motion carried.**

102  
103 **6) GS&S Grant History and New Grant Development:**

104 Steve Dahlberg, Chief Financial Officer, and Jason McClaughry, Interim GS&S Program Manager,  
105 presented the GS&S Grant History and New Grant Development.

106  
107 Dahlberg stated his presentation is on the GS&S Active Grants. The focus has changed from many  
108 grants to fewer but larger Federal Funds and Other Funds grants. The funding trend shows the  
109 overall revenues are still very good, even with fewer awards. The main area that has actually  
110 reduced is Other Funds. This information is tracked and updated quarterly, and includes the  
111 available balance and forecasted revenues, which helps to show the workload for staff.

112  
113 In FY20 and FY21, there were over 40 grants worth \$6.7 million to \$9.5 million, and now it is 27  
114 grants worth \$8.5 million. Lidar grants are trending up with awards being an average of \$3 million;  
115 they take less staff time because 85% of the cost and revenue goes directly to a third party. For Lidar,  
116 there are three milestones: 40% when it is flown, 30% upon first delivery of data, and 30% for final  
117 version of that data.

118  
119 Chair Ashford asked when the Agency considers it revenue. Dahlberg said revenue is generated at  
120 the time of invoice. Outstanding invoices are monitored and tracked, with gentle reminders being  
121 sent out; there is currently only one customer that is over 30 days.

122  
123 Dahlberg displayed and explained different graphs showing the same information in different formats  
124 for the revenue and funding mix trend. Kozlowski asked about the increase in FEMA funding and if it  
125 was due to the fires. McClaughry answered that it is driven by the amount of funds available in the  
126 program authorized by Congress, and what the Agency decides to apply for; in addition to the fires.

127  
128 Other Funds Non-Lidar changes over time based upon the agency needs and their requirements. For  
129 this biennium, DSL, DLCD, and the Universities, have actually increased their percentage of the total  
130 mix. Ashford asked if these are fulfilling DOGAMI's role-serving other departments within the State.  
131 Dahlberg answered yes, the Agency is helping these other departments meet their needs with its  
132 expertise.

133  
134 Dahlberg shared a chart with the intent to show how long the existing grant balance would last with  
135 the assumption no new grants were received; DOGAMI's work would continue into FY24. This is not  
136 where the Agency is at, its normal trend of revenues are over \$3 million.

137  
138 Dahlberg reviewed the Grant Direct Expenses without indirect costs; it represents the actual  
139 workload DOGAMI has available for staff to work on. He said the intent here, is to show the  
140 remaining direct balance or workload over the last year has grown. He shared another slide with  
141 Lidar, which has a different cost structure. All grants showed a holding pattern around \$3.5 million.  
142 When DOGAMI applies and is awarded new grants, it positively impacts the remaining direct expense  
143 and increases the available workload.

144  
145 Dahlberg recognized Fiscal Analyst Emil Petcov, for his work on reviewing and compiling all the data.  
146 The information will be updated quarterly in the grant tracking sheets.

147  
148 McClaughry presented the New Grant Development for GS&S. He stated building relationships is  
149 essential in grant development and within GS&S. For the benefit of the new Board Members and to  
150 frame the particular grants the Agency goes after, he reviewed the basic structure of the GS&S  
151 Program. GS&S is split into six programs: landslide inventory and landside inventory mapping, flood

152 and channel migration, earthquake and seismic hazards, tsunami and coastal erosion, geology and  
153 mineral resource mapping. Since 2007, the foundation to all of these has been the collection of high  
154 resolution Lidar topography, which is data essential to all projects now, and many of the safety and  
155 federal partners as well.

156  
157 Much of the relationship building has to do with collaboration with State, local, and federal partners  
158 in looking at developing and building projects that support both Agency statute and mission. He  
159 reviewed the grants by funder and the different GS&S programs to show which ones are Federal  
160 Funds and Other Funds. As an example, McClaughry stated the USGS STATEMAP Program has  
161 supported geologic mapping at DOGAMI since 1992, and has brought in nearly \$4.5 million to the  
162 Agency for staff work. He added a variety of other partners, including other federal government  
163 agencies and many State agencies, rely on DOGAMI's work, and from time-to-time will come to the  
164 Agency with ideas for projects, or staff develop those projects through conversations with those  
165 partners.

166  
167 McClaughry broke the grant development down into three basic parts: Federal Grant Development,  
168 Need-based Grant Development, and Responsive Grant Development.

169  
170 Federal Grant Development: Federal competitive grants that align with key GS&S program areas.  
171 These are annual programs that DOGAMI competes against others for, but there is no guarantee of  
172 receiving them. These are reliant on staff to build good projects, and write very effective proposals  
173 to convey the need for this funding to come to the State of Oregon to support our projects. They  
174 require regular engagement with federal program staff, including the Director level of engagement  
175 with Association of American State Geologists (AASG) to continue to learn about programs as they  
176 develop new opportunities. Staff also engage in advisory committees of Oregon stakeholders; build  
177 long-term partnerships with communities and local/state/federal collaborators; develop long-term  
178 mapping or research strategies (5-10 years); and develop proposals based on the needs.

179  
180 Need-based Grant Development are non-competitive, aligned with the GS&S Program areas, and are  
181 typically where partners, such as other State agencies, come to DOGAMI with a particular issue they  
182 would like to address, and believe that geologic mapping, landslide mapping, or other hazard  
183 assessments will help them answer their questions and needs. Attending meetings and workshops  
184 on a regular basis lays the fundamental groundwork for building long-term partnerships. DOGAMI's  
185 consistent engagement with stakeholders leads to sharing of ideas, concerns, and opportunities for  
186 collaborations. DOGAMI has expertise recognized by the notoriety of the staff. DOGAMI has  
187 developed long-term community-based mapping and research strategies that lead to either  
188 Interagency Agreements or longer-term Memorandums of Understanding, to support projects and  
189 the Agency coming in accomplishing goals.

190  
191 Responsive Grant Development is based on the Agency's responsiveness to events that happen.  
192 McClaughry used the Eagle Creek fire, that erupted in the Columbia River Gorge in 2017, as an  
193 example. Following those fires, Erosion Threat Assessment Reduction Teams (ETART) go in and focus  
194 on what are the risk to public health and safety, property, infrastructure on State and private lands,  
195 and they recommended a research protocol following the fires, that the State needed to understand  
196 post-fire debris flow and risk. The State did not have funds to conduct the studies, so DOGAMI  
197 responded by applying for grants through FEMA Cooperating Technical Partners (CTP) grants to  
198 conduct the critical post-fire debris flow research. DOGAMI was awarded \$660,000 for research and  
199 another \$100,000 to collect new Lidar. Additional funding came from the USGS to support that post-

200 fire debris flow assessment, and that research is ongoing and will be a big part of the future for GS&S  
201 research.

202  
203 McClaughry reviewed the GS&S Grand Development Process flowchart, discussing in length all the  
204 steps in the process from how it starts by identifying the grant opportunity, to submitting a grant  
205 application to get it funded. McClaughry reiterated that building the long-term partnerships and  
206 relationships is important for this lengthy process.

207  
208 Jeremiah asked how stakeholders are chosen to participate in the advisory committees for Lidar.  
209 McClaughry said it starts with identify other State agencies and partners to determine who to reach  
210 out to and then bring them in. Chair Ashford asked how someone would go about indicating their  
211 interested in participating on the team. McClaughry said to contact himself or Dr. Reed Burgette for  
212 Lidar.

213  
214 Chair Ashford asked Dahlberg how much of the Lidar projects revenue covers staff. Dahlberg replied  
215 it is about 15% of the revenue.

216  
217 Teeman said she applauded the work that has been done to setup this process to get grant money.  
218 She knows from experience what a delicate dance it can be when going after grants and identifying  
219 whether there is enough staffing to complete the work, yet needing to constantly be looking for  
220 additional sources of research grant money, so she really appreciates it.

221  
222 Kozlowski applauded as well, she appreciated the high-level evaluation by Dahlberg and it was very  
223 informative.

224  
225 Chair Ashford said he appreciates the thoughtfulness of the team and the process they go through to  
226 go after grants that are within the Agency mission, and can be done; before the Agency went after all  
227 grants no matter if made the money or not.

228  
229 Briefing: **No Board Action Required.**

## 230 231 7) **Agency Key Performance Measures Annual Update:**

232 Laura Gabel, Coastal Field Geologist, reviewed the Agency's annual Key Performance Measures.

233  
234 Gabel stated KPMs 1-5 are for Fiscal Year 2022, which is July 1, 2021 through June 30, 2022. KPM 6 is  
235 the Annual Assessment of the Board and consists of 15 questions the Board will answer.

### 236 237 **KPM 1 – Hazard and Risk Assessment Completion:**

238 Percent of population residing in Oregon Urban Growth Boundary Areas (UGBs) that have completed  
239 geologic hazard and risk assessments that are suitable to initiate Department of Land Conservation and  
240 Development goal 7 planning for earthquake, landslide, tsunami, coastal erosion, volcanic or flooding  
241 hazards.

242  
243 The target was 62% and the actual was 68%. Chair Ashford said it looks like work has been done in  
244 every UGB. Gabel said she was not sure but would find out and let them know at the next meeting.

### 245 246 **KPM 2 – Detailed Geologic Map Completion:**

247 Percent of Oregon where geologic data in the form of high-resolution maps have been completed to  
248 be used for local problem solving.

249  
250 The target was 66% and actual was 62.80%. Gabel said mapping is being done but not all done in the  
251 populated areas as captured by the metric.

252  
253 **KPM 3 – Lidar Data Completion:**

254 The percent of Oregon with lidar data at USGS quality of Level 2 or better (density and accuracy). The  
255 higher standards are lower numbers.

256  
257 The target was 56% and actual was 60.50%.

258  
259 **KPM 4 – Percent of Mine Sites Inspected biennially:**

260 The percent of permitted mine sites inspected biennially.

261  
262 The target was 50% and actual is 7%. This is reporting currently on the first half of the 2021-2023  
263 biennium. Starting in 2 years DOGAMI will be reporting this differently.

264  
265 **KPM 5 – Customer Service:**

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

269  
270 The goal is to have 95% target in the six areas, and this year's averages were between 74% and 80%.  
271 Gabel said there were roughly 100 responses out of 2000 emails sent. Chair Ashford asked if the  
272 number of responses is typical and if there is any additional information. Gabel replied that it has  
273 typically never been over 200 responses.

274  
275 Jeremiah asked to have Director Day-Stirrat respond to this, based on her conversations with him  
276 with regards to MLRR specific concerns. Per her observation she believes the 2018-2019 change was  
277 when Sarah Lewis was appointed the MLRR Supervisor and there was a tremendous focus on  
278 customer service in permit turnaround time.

279  
280 Day-Stirrat said he looked at the numbers, and this year's respondent count is low relative to the  
281 past, so that makes one to one comparison quite difficult. There are some themes in the comments  
282 which have a mixture of validity. One key comment is around communication and speed of  
283 communications with regard to permits. The number of permits have gone up and inspections have  
284 gone down; those two factors are playing into those comments. Staff are overwhelmed right now  
285 with permits, and this is leading to a slower than optimal time in communicating with permit holders.  
286 Day-Stirrat said communication from staff to permittees has been incredibly constructive, well  
287 thought out, many options were presented to permittees to help move a permit forward; and there  
288 was a significant amount of time involved in putting that communication together. A few comments  
289 had to do with the number of times a permittee contacted the Agency, it does take time to respond  
290 to each email or phone call. MLRR staff are overwhelmed on permits, and overwhelmed on  
291 communication, which is leading to a general slowdown; and it is something the Agency will work on.

292  
293 Chair Ashford asked if there is any differentiation between the MLRR and GSS Programs. Day-Stirrat  
294 said from the comments you can breakout which part of the Agency the respondent dealt with; it is

295 mixed. The strongly negative comments are individual responses. Day-Stirrat said what this survey  
296 seeks to do is to wrap some of that into a bit of a higher level, and what the Agency will try to do is to  
297 look at the helpfulness and timeliness, and see what can be done in terms of being more responsive  
298 and more communicative in the correct way that allow permits to move forward. One he wanted to  
299 address here concerns expertise. DOGAMI has had some senior retirements and if someone has/had  
300 34 years in an Agency, yes, you lose expertise, but DOGAMI is trying to replace those positions. He is  
301 not too concerned about that particular one, but he is somewhat concerned about the overall  
302 sentiment, and Leadership/DOGAMI will attempt to address that over the next year.

303

304 A lengthy conversation took place.

305

306 Chair Ashford said this should come back to the Board, schedule a working session for a future  
307 meeting, and maybe at the next meeting talk/discuss a little more to find ways to improve collection  
308 of that data, and maybe help inform where the Agency needs to improve.

309

310 Kozlowski asked if two separate surveys are sent out to each Program. Gabel said yes, and explained  
311 they both get the same questions. Kozlowski would like to see the differentiation between the two  
312 so the Board can more closely focus on where to best support the Agency. Gabel said approximately  
313 40 people responded to the GS&S side, and 74 responded for the MLRR side; there's so much more  
314 interaction between stakeholders and staff on the MLRR side than the GS&S side.

315

316 Jeremiah would like to see the separated results and thinks it is really important. She said the  
317 feedback she has received is the lack of simple status updates and not having timely responses to  
318 that, so they think that the response lack of responsiveness is targeted to their individual matter, and  
319 really it's an agency-wide issue. She thinks an autoreply should be sent out and also have it in the  
320 newsletter to recognize that there is an issue, and that that the Agency is actively working on it.

321

#### 322 **KPM 6 – Governance:**

323 For the Annual assessment by the Board, Gabel reviewed the 15 required questions and noted the  
324 Board Member's responses. The target was 100% and the actual was 100%.

325

326 Board Action: **Maffei moved to accept the revisions to the 2022 Annual Progress Performance**  
327 **Report as presented/revised. Teeman seconded. Motion carried.**

328

#### 329 **8) MLRR Update and Permitting in Oregon:**

330 Sarah Lewis, MLRR Program Manager, provided an update on MLRR and permitting in Oregon.

331

332 Lewis gave a brief presentation the Mine Permitting Overview for the MLRR Program. She gave a  
333 similar presentation to the Legislative Commission on Indian Services Natural Resource Working  
334 Group on September 9, 2022.

335

#### 336 MLRR Program Overview Presentation

337

338 Lewis said the Mineral Land Regulation and Reclamation program, or MLRR, is funded by regulatory  
339 fees for permit. It is not currently supported by General Fund, grant funding or federal funding. The  
340 MLRR program oversees the State mineral production, and works to minimize impacts of natural  
resource extraction and to maximize the opportunities for land reclamation. The statewide program



341 regulates mining activities in Oregon and works collaboratively with other state agencies, local and  
342 Tribal governments, industry, and the public.

343  
344 Lewis showed a diagram that summarized MLRR's regulatory framework and explained the statutes  
345 are laws enacted by the legislature; divisions of rule are the Governing Board's rules, which is where  
346 the Governing Board weighs in on how the program is operated;. DOGAMI has regulatory authority  
347 for surface mining, through ORS 517 and oil and gas, geothermal under ORS 520 and 522  
348 respectively. Under the drilling programs are three divisions of Oregon Administrative Rule (OAR);  
349 Division 20 is geothermal and Division 10 gas permits; there are currently no onshore oil permits in  
350 Oregon, and there is a moratorium on offshore drilling.

351  
352 Under ORS 517, Division 30 is aggregate mining, which makes up the bulk of the surface mine  
353 permitting; it is almost 85% of the permits and workload. Aggregate mining includes upland rock  
354 quarries and the excavation of sand, gravel, and industrial minerals. DOGAMI does not have  
355 authority for in-stream mining, those permits are issued by the Department of State Lands. DOGAMI  
356 does also have delegated authority from the Department of Environmental Quality, or DEQ, to  
357 administer water quality permits on surface mines; approximately 20% of DOGAMI permitted mines  
358 also hold a DEQ permit. There are fewer permits under Division 35 and 33. Non-aggregate mineral  
359 extraction in Oregon is mostly for placer gold and silver. Mineral exploration activities looks for  
360 materials like clay bearing lithium, underground gold, silver, or platinum. Exploration activities may  
361 identify resources that could be developed into a larger mining project. There are currently no  
362 permits under Division 37, chemical process mining, but MLRR does have one application, which is  
363 the first ever received.

364  
365 Lewis stated MLRR has a dedicated coordinator position at .75 FTE for the Chemical Process Mining  
366 Program, a full-time Stormwater Reclamationist for the DEQ permits, 5.5 FTE (5 1/2 people) Natural  
367 Resource Specialists cover the full workload for surface mining, exploration, gas and geothermal.  
368 Those technical staff are supported by 3.25 FTE Operational Support, and myself as Program  
369 Manager.

370  
371 DOGAMI administers permits across every county in Oregon. Surface mining activity has just over a  
372 thousand permits; there are three clusters of gas wells in Columbia, Coos, and Malheur counties;  
373 geothermal wells located in Deschutes, Lake, Klamath, and Malheur counties; and the Grassy  
374 Mountain Goldmine Project in eastern Oregon.

375  
376 There are also mining-related activities that are not under DOGAMI's regulatory authority; in-stream  
377 mining is regulated by Department of State Lands; drilling of water wells, that are distinct from  
378 geothermal or gas wells, is administered by the Oregon Water Resources Department; mining claims  
379 are registered with the Bureau of Land Management, or at the county level; and DOGAMI does not  
380 regulate mining on Tribal owned lands.

381  
382 Lewis briefly described the DOGAMI surface mining process in nine steps as: 1: Land Use Approval; 2:  
383 Permit Application; 3: Permit Issued; 4: Mining Begins; 5: Renew Permit Annually; 6: Site Inspections;  
384 7: Mining Ceases; 8: Site Reclamation; and 9: Mine Site Closed. Lewis said it is important to recognize  
385 that DOGAMI does not determine where mining happens, that authority sits with the local land use  
386 decision making body; whether it's a county, city, or different entity. Aggregate mining is one of the  
387 natural resources that falls under statewide planning, and that approval process allows for public  
388 input. The average annual aggregate production in Oregon is around forty million tons.

389  
390 Lewis explained the Operating Permit Application Process ideally starts with an optional pre-  
391 application meeting to discuss the proposed plans, and clearly communicate requirements and  
392 timeline. She said the application process is designed to generate permit conditions that minimize  
393 off-site impacts during mining, and ensure mitigation and the return of the mined land to secondary  
394 beneficial use, such as forestry, industrial, open space; the application itself requires detailed  
395 technical operating and reclamation plans and site maps. The application is first assessed against a  
396 checklist for completeness, to ensure that all the required pieces are present, and then moves to  
397 technical review. If adequate information is received from the applicant, the application can move  
398 along quickly. If proposals deviate from standard practices, or the applicant initiates changes to the  
399 plan during the review process, this results in additional back and forth that lengthens timeline. A  
400 reclamationist will also meet on site with the applicant for a site inspection, during that review  
401 period. Each draft permit has site-specific conditions, based on the proposed operation and  
402 reclamation plans, feedback from our permitting partners. The permit also includes standard  
403 conditions, like don't mine outside your permit boundary, and the inclusion of things like an  
404 inadvertent discovery plan for cultural and archaeological resources. Before a permit is issued, the  
405 applicant must also provide a financial security. The average time from receipt of an application to  
406 issuance, currently ranges from ranges from 8 to 12 months; complicated applications on the  
407 floodplain usually take 1 to 2 years. The application process for exploration, gas and geothermal well  
408 permits are generally similar to the operating permit process; the timelines and materials required,  
409 vary with the permit type.

410  
411 Lewis discussed the Circulation of Applications. She stated that when an application is received,  
412 MLRR provides early notification to the local land use authority, and to tribal partners with an  
413 interest in that geographic area. Each draft permit goes through a formal 35-day circulation process  
414 and is sent to a wide range of permitting partners, including, but not limited to State and Historic  
415 Preservation Office, Departments of State Lands, Environmental Quality, Fish and Wildlife, Forestry,  
416 Water Resources, back to the local land use authority, tribal governments, and to federal agencies if  
417 they are the landowner. Any comments received are communicated back to the applicant, and then  
418 reconciled through modifications to the proposed plans, or perhaps through permit conditions. This  
419 is another place where MLRR has significant back and forth, and conversations with the applicant  
420 about how to get their plans to where the conditions required by the State are met. Lewis provided  
421 examples of requirements from other partners and said these are areas where applicants can be  
422 more proactive by reaching out to those agencies in advance. She added this is one of the things that  
423 MLRR can discuss at a pre-application meeting.

424  
425 Lewis said the exploration permit process is receiving a lot of attention right now, given renewed  
426 interest in critical minerals, specifically lithium in the McDermitt Caldera in Southeast Oregon. The  
427 exploration permit process is similar to the Operating Permit Process, with a review of draft permits  
428 by circulating agencies, and site-specific conditions added to the permit, based on the responses  
429 received. One significant difference is that exploration is an outright allowed land use in most  
430 counties in Oregon. DOGAMI notifies the county, and the federal agency responsible for oversight of  
431 land use, but the permittee is responsible to make sure that they are completing requirements  
432 independent of permit issuance. Mineral exploration activities, look for things like clay bearing  
433 lithium, gold, silver, platinum, and these exploration activities may identify resources that can be  
434 developed later. Exploration activities that disturb more than 1 surface acres or drill to greater than  
435 50 feet, require an Exploration Permit from DOGAMI. Exploring under these limits is considered  
436 prospecting, and does not need a permit. If more than 5 acres are disturbed, or the material will be

437 sold into market, then an Operating Permit is required. If the proposed operations include chemical  
438 processing of the ore to determine what is there, then it requires the Consolidated Permit Process. If  
439 mining is occurring without the appropriate permit, DOGAMI does have several tools to bring the  
440 operator into compliance; enforcement actions include Suspension Orders to cease operations,  
441 collecting the financial security posted by the permittee, and assessing Civil or Criminal Penalties.  
442

443 The Consolidated Permit Process, associated with chemical process mining, is the most rigorous  
444 permitting process that DOGAMI administers. Chemical Process Mining is when extracting metal  
445 from metal-bearing ores uses chemicals to dissolve metals from the ore. There are currently no  
446 operating chemical process mines in Oregon, but the State received the first ever application in 2019  
447 from Calico Resources USA, Inc., for the Grassy Mountain Mine Project outside of Vale Oregon.  
448 Oregon law envisioned strong environmental protections if chemical process mining was to happen  
449 in Oregon. The intent of the regulatory framework is to minimize environmental damage through  
450 use of best available, practicable, and necessary technology and provide protection measures that  
451 are consistent with policies of the permitting agencies. DOGAMI is the lead facilitating agency, and  
452 provides coordination, accountability, and mediation among partner State agencies, for the  
453 consolidated process that issues a single permit decision on behalf of the State. A Technical Review  
454 Team, or TRT, of permitting agencies and cooperating agencies review submitted materials and  
455 recommend approval of reports or request for additional information. External technical consultants  
456 provide reports where there is no in-house expertise or for a specific technical need. DOGAMI also  
457 convened a Project Coordinating Committee, or PCC, to share information and promote  
458 communication and transparency. The Consolidated Permit Process has many opportunities for  
459 public engagement, as the TRT and PCC meetings are open to the public, and PCC meetings also  
460 accept public comments. All the project materials are available online for review, and application  
461 and permit materials have public comment periods.  
462

463 Lewis said applying for a Chemical Process Mining Permit takes many years and went through the  
464 steps and timeline by using the Grassy Mountain Project as an example.  
465

466 The Grassy Mountain Project began as exploration activities and Calico Resources filed with DOGAMI  
467 Notices of Intent, or NOIs, to submit a Consolidated Permit Application in 2012, and again in 2015,  
468 which were superseded by the current NOI filed in February, 2017. In September 2017, Calico moved  
469 to Step 2 in this process, Notice of Readiness, by filing to collect Baseline Data and began preparing  
470 Baseline Data work plans for approval by the TRT. Step 3 of Baseline Data Collections, document  
471 existing conditions and preparation of Baseline Data Reports, has been ongoing since that time. In  
472 November 2019, Calico Resources moved to Step 4 by submitting the first ever Consolidated  
473 Application for Chemical Process Mining, and the project is currently in Step 5.  
474

475 The State proceeded with a Completeness Review of the application, including convening a meeting  
476 of the PCC and holding a public hearing. In February 2020, the TRT determined that the application  
477 was not complete, and requested additional information from the applicant. Beginning in December  
478 2021, revised application materials were submitted to the State, and review of the materials is  
479 ongoing. The next TRT meeting will likely be at the end of October. In late June, the TRT met and  
480 approved two Baseline Data Reports, and is now working on the revised application material. The  
481 Completeness Review occurs prior to an evaluation of the technical merits of the application; and is  
482 designed to avoid a situation where an agency would have to deny a permit for lack of information.  
483 Information required by statute or rule, and information requested from the applicant must be both  
484 present and sufficient for the application to be complete. When the TRT determines an application is

485 sufficient to support making a permit decision, DOGAMI will issue a Notice to Proceed, which is Step  
486 6, and begin preparing required reports based on the application material; this includes an  
487 Environmental Evaluation and Socio-economic Impact Analysis. Portions of the Grassy Mountain  
488 Project are located on public lands, managed by the BLM, so DOGAM is working with the BLM to  
489 coordinate on Key Environmental Analyses, their NEPA process, and other joint concerns, including  
490 bonding. There is a strict regulatory timeline for the preparation and review of the draft permit, and  
491 a final permit decision has to be made within a year. DOGAMI has a new coordinator on staff,  
492 working toward developing detailed protocols for Steps 8 through 10 of the Consolidated Permit  
493 Process.

494

#### 495 Permit Status Summary

496 Lewis stated the total permit numbers are stable; however, the number of active applications have  
497 reached 69, and the workload is greater than the staff can handle. MLRR hired a Natural Resource  
498 Specialist 2 (NRS 2) Reclamationist to help with the process. Pre-application meetings continue to  
499 provide guidance on what materials are required for a complete application, to frontload the  
500 beginning of the process in hopes that once the applications get in the system, it can move through  
501 quickly by reducing or eliminating the back and forth over weeks or months with permittees to try to  
502 fine-tune what is needed. If there are deviations from what would normally be approved or special  
503 reports required, that is going to lengthen the timeline.

504

505 The Program is going to shift the initial Application Completeness Review to an administrative staff  
506 person, who will ensure that those materials needed to evaluate the application are in place before  
507 moving forward to technical review, to try and make the process more efficient. It will also create  
508 some clear milestone that staff can communicate to applicants, so that applicants have a better  
509 sense of where their permits are in the process.

510

511 Lewis wanted to recognize that staff are similarly frustrated by the slow timelines and the inability to  
512 provide the customer service that they want to. Staff pride themselves on the relationship that they  
513 have with permittees, and it is very difficult when they feel that they are not meeting their  
514 permittee's and applicant's expectations. They are highly productive but can't make headway with  
515 the increasing workload.

516

517 Chair Ashford asked if the applications slowdown in the winter. Lewis said MLRR actually receives  
518 more in the winter as many operations close down, or ease off a little bit for the winter months, and  
519 they focus on their planning for the next couple of years.

520

521 Chair Ashford asked Lewis what her take is on the anticipated uptick in applications and staff working  
522 really hard, as he is not sure there will be any catching up anytime soon. Lewis replied MLRR has  
523 hired a couple of new people, who are getting up-to-speed, and she anticipates the Program's pace  
524 picking up with respect to its ability to do the work. One of the challenges staff are facing is the  
525 ability to answer calls and be responsive to giving status updates with so few people reviewing  
526 permits. Lewis appreciates Board Member Jeremiah's suggestion about auto-reply emails, which is  
527 something the Program has not tried yet, and will work toward implementing it to give a better and  
528 immediate response to permittees; as she knows they just want to feel heard and know their permit  
529 is moving forward.

530

531 Lewis said there is slow decrease in the number of compliance items. She said staff are not going out  
532 and looking for people to enforce on, these are being found as part of routine permit review and  
533 often by complaints from neighbors. The Compliance Program has been up and running for about 3  
534 years, it is really getting its feet under it and providing great support to the Permit Review Process.  
535

536 Morgan Creek was MLRR's first Mining Without a Permit Civil Penalty, that the Governing Board  
537 approved in July 2020. MLRR reached a negotiated settlement in December 2021, that included a  
538 timeline for reclamation and specific milestones. Earthwork was successfully completed in August  
539 2022 and was verified by site inspection. Lewis showed some before and after photos and said the  
540 contractor and respondent are working to complete the work, and the payments negotiated in the  
541 settlement are all up-to-date. Lewis said she was pleased to be able to provide the Board with this  
542 positive update around how the program can be a success and protect the natural resources of the  
543 State.  
544

545 Lewis said the MLRR packet includes the Summer 2022 Newsletter, that includes an update to the  
546 permittees on the performance of the January, 2021 fee increase, as the Board suggested at the last  
547 meeting.  
548

549 Sarah Lewis introduced the new MLRR staff, who joined the meeting from the MLRR Conference  
550 Room. Jeff Lulich, Mining Geologist Reclamationist, who took over for Ben Mundie who retired in  
551 December. Becca Misho has been with DOGAMI for over two year and transitioned from office temp  
552 to a limited duration (LD) Natural Resource Specialist 2, and will focus on file review and permit  
553 review, in response to that increased application workload; this is not a permanent position for the  
554 Program, it is temporary to help with the workload. Telicia Hixson is a Natural Resource Specialist 1  
555 Intern, to assist with office tasks; she will be pursuing a project as part of her master's program at  
556 Oregon State University. Dayne Doucet started last week as the Consolidated Mining Permit Lead, he  
557 has a background in petroleum engineering, and comes from a position as Oil and Gas Permitting  
558 Manager with the Utah Department of Natural Resources.  
559

560 Jeremiah asked if the awards program is going to be reinstated. Lewis said the awards program is  
561 one of the higher priority things for getting reinstated once staff have available time; it is hard to  
562 justify it at this time. Jeremiah said she would like to see it remain as a priority, that when staff time  
563 allows the program can be resurrected.  
564

565 Chair Ashford said he and the Board appreciate the work of the MLRR staff. He looks forward to  
566 hearing about how Jeremiah's suggestions on better and additional communication works out at the  
567 next Board Meeting.  
568

569 Briefing: **No Board Action Required.**  
570

#### 571 **9) GS&S Update:**

572 Jason McClaughry, Interim GS&S Program Manager, provided an update on the GS&S program.  
573

574 McClaughry said seven publications have been released so far this year. Most recently, two multi-  
575 hazard risk assessments around Washington County and Marion County, and another tsunami and  
576 earthquake hazard study have been completed. There are five more publications that are currently

577 going into editing and review for final release, and expects those to be completed by the end of this  
578 year.

579  
580 McClaughry provided an update on the current staffing and active recruitments that are ongoing.  
581 Two NRS 4 level positions were advertised: Geohazards Specialist, and the Eastern Oregon Regional  
582 Geologist, which is a limited duration to fill the position he rotated out of to be the Interim Program  
583 Manager. The application period has closed for both positions and first round interviews are starting;  
584 the selected candidates will move on to the second round.

585  
586 McClaughry said the following grant opportunities are significant awards for funding staff, and these  
587 are part of the annual grant programs that are funding fundamental programs for GS&S. They have  
588 either been received or are in the process of being developed.

589  
590 Federal grants received:

- 591
- 592 • BLM Landslide Grant (\$75,000 Federal Funds: Look at landslides in Coos Bay area.
- 593 • National Tsunami Hazard Mitigation Program (NTHMP) (\$494,000 Federal Funds): Oregon Coast.
- 594 • FEMA Cooperating Technical Partners (CTP) Proposals: Three awards totaling \$1,134,215 for  
595 Jackson County Lidar, Oregon Digital Flood Hazard Database Update, Historical Flood Event  
596 Database, Hood River County Landslide Inventory, Outreach and Community Engagement, Multi-  
597 Hazard Risk Assessments Cottage Grove, South-Central Lane County Geohazard Mapping & Risk  
598 Reduction.
- 599

600 Federal and Other grant applications:

- 601
- 602 • U.S. Geological Survey National Geological and Geophysical Data Preservation Program  
603 (NGGDPP) (up to \$50,000 Federal Funds): This will work to archive and make publicly available  
604 some of DOGAMI's historic mining data and other published resources, located in both the Baker  
605 City and Portland offices.
- 606 • U.S. Geological Survey STATEMAP Program (up to \$250,000 Federal Funds): This program funds  
607 the Agency's geologic mapping, and has funded geologic mapping in Oregon since 1992.
- 608 • U.S. Geological Survey 3D Elevation Program (3DEP) (up to \$4,087,700 Federal Funds): Collection  
609 new high resolution Lidar in the entirety of Deschutes County, through the Willamette Valley,  
610 where the Lidar is now outdated; it was collected in 2007 to 2009.
- 611 • Oregon State Parks, Ecola State Parks Multi-hazards and exploring the possibility to make this a  
612 long-term arrangement with State Parks to look at the Ecola and other parks they have concerns  
613 about on the coastal segment, and then further inland as needed (TBD)
- 614 • Regional Disaster Preparedness Organization, Landslide Inventory Mapping in the Metro  
615 Counties, Washington, Multnomah, Clackamas Counties in Northwest Oregon, to continue to fill  
616 in necessary and needed mapping in there in that areas (TBD)
- 617

618 McClaughry provided details on General Fund special projects to take care of some key projects that  
619 are aligned with key GS&S Program areas. These are separated into three categories: research and  
620 development, build tools and infrastructure, and data maintenance; and there are two main projects.  
621

622 The Eastern Oregon mineral scoping is basically designed to collect data and samples throughout  
623 Southeast Oregon to assess critical mineral potential. This is to look at the link between national  
624 security, economic security, and energy security, as we move to electrification. The Agency  
625 purchased a portable device to analyze lithium contents in rocks throughout Southeast Oregon. Staff  
626 can compare these to lab-based analysis, that they will get from rocks to create a spatial database of  
627 lithium concentrations in Eastern Oregon, to inventory what the State's potential resources are and  
628 how that may develop in the future. DOGAMI is also working with university groups that have looked  
629 specifically at McDermitt Caldera, and produced geologic maps in that area that the Agency will  
630 publish. This is aligned with proposed POP 102 in the Agency Request Budget.

631  
632 The last project is the post-fire debris flow research and the Labor Day fires, which burned  
633 approximately 11% of the Cascades in Western Oregon. The Agency is looking at supporting  
634 additional field data collection after storms during the 2022-2023 season. this is aligned with POP  
635 103 in the Agency Request Budget.

636  
637 McClaughry said related to the idea of building relationships, this past week, one of DOGAMI's staff  
638 members, Carlie Azzopardi, was out of the field with a company out of New Hampshire collecting  
639 rock samples for recreating a geochemical reference sample collection, which was used to calibrate  
640 both lab and portable geochemical collection devices. He shared a picture of Azzopardi collecting  
641 nearly four hundred pounds of rock at each site. He stated these types of partnerships pay off for the  
642 Agency in the sharing of ideas, and with the company helping DOGAMI to calibrate some of its  
643 exploration techniques for projects looking at lithium and calibrating the new portable device that is  
644 going to deploy in that project; also opportunities to collaborate on publications related to this and  
645 further DOGAMI's mission.

646  
647 Briefing: **No Board Action Required.**

648  
649 **10) Director's Report:**

650 Ruarri Day-Stirrat, Director & State Geologist, provided an update on the Agency.

651  
652 Agency Update

653 Director Day-Stirrat stated the big Agency update will be receiving the 2023-25 Analyst  
654 Recommended Budget, which is an internal document, and is used to help advise the Governor as  
655 she prepares her budget. As such, DOGAMI is expected to keep the contents of that document  
656 confidential, and it will only remain within the Leadership Team as to how they work through that.

657  
658 DOGAMI is having an extremely positive recruiting campaign for open positions within the Agency,  
659 which is bucking the State trend here. With Lewis' introduction of DOGAMI's intern Telicia Hixson,  
660 Day-Stirrat said this is something the Agency is very pleased to be able to have in place, as this is  
661 something that has not been around for some time and is something the Agency hopes to keep going  
662 over many years.

663  
664 In mid-September, DOGAMI initiated an agency-wide, quarterly technical seminar series, and the goal  
665 of that was to enhance cross-agency visibility, and make sure that the Agency was acting as one.  
666 Day-Stirrat said one of his goals as Director, was to make sure that the two programs were coming  
667 together as best as possible, and this is one of those mechanisms.

668

669 Outreach and Community Engagement

670 Day-Stirrat said the last quarter the Agency has been focusing on outreach and community  
671 engagement. Two of the three people who went to the Cottage Grove Emergency Preparedness Fair  
672 on a Saturday afternoon in early August, were on this Board Meeting call, and he thanked them for  
673 that engagement. This was a multi-agency preparedness event in which the local community was  
674 informed of hazards and how they could best mitigate those hazards; it was a very well attended  
675 event with approximately 1000 people in attendance.

676  
677 For MLRR, two entities with the largest number of permits in the State, have had extended sessions  
678 with DOGAMI staff, looking at how they may prepare more and complete permits, which is one step  
679 in helping the Agency move some of these actions forward.

680  
681 DOGAMI's LinkedIn presence has increased with sharing publications and job openings. This is  
682 DOGAMI's soft opening into the social media space.

683  
684 Day-Stirrat said in late July, he took an opportunity to visit the McDermitt Caldera in Southeast  
685 Oregon.

686  
687 Day-Stirrat and Lewis took part in the Malheur County Economic Development Tour at the end of  
688 August. This was at the invitation of Senator Findley and Representative Owens. They toured the  
689 site of the potential Grassy Mountain Gold Mine Project, and answered many questions, for about an  
690 hour, from State Senators and Representatives. Those questions covered Consolidated Mining  
691 Permits, permits, mineral extraction, gold mining, and many other aspects of the work that DOGAMI  
692 does.

693  
694 Next week he and Lewis will participate in the 2022 Annual Tribal-State Government-to-Government  
695 Summit. It is happening in Florence, with a specific session on Natural Resources and Climate.

696  
697 The week of October 9th is Earth Science Week and there will be a proclamation from the Governor,  
698 with regard to Science Week. DOGAMI has distributed 49 Earth Science packs from the American  
699 Geological Institute (AGI) to Oregon school districts; the Agency will see what comes back, and then  
700 form part of its strategy going forward in that area.

701  
702 Legislative Update

703 Day-Stirrat stated Christina Appleby is the Legislative Coordinator for the next biennium. The  
704 Agency's grant request for the USGS Data Preservation Program was approved, so the grant will go  
705 in. DOGAMI has two large grants that will go into the next Legislative Session.

706  
707 Chair Ashford said he heard DOGAMI presented itself well at the Grassy Mountain Gold Mine Project.

708  
709 Briefing: **No Board Action Required.**

710  
711 **11) Confirm Time and Date for Next Quarterly Meeting:**

712 Chair Ashford stated the next DOGAMI Board is currently scheduled for Thursday, December 1, 2022  
713 at 8:30 a.m. – 1:00 p.m. in Portland or via Zoom. He confirmed this date is still acceptable for the  
714 Board.



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**12) Recognition of Board Members:**

Chair Ashford recognized outgoing Board Members Laura Maffei and Katie Jeremiah and thanked them for their participation on the DOGAMI Governing Board. The Board greatly appreciates their service and dedication to the Agency.

Kozlowski thanked them both for their work and stated she has learned so much from them, particularly around MLRR. .

Teeman thanked them, and said she enjoyed working on the Board with them.

Jeremiah said she appreciated her time on the Board and the diverse perspectives of everyone on the Board, it has been a pleasure and an honor. She stated Maffei’s leadership has been amazing and that she learned a lot from her. She feels very confident that the Agency is in good hands with Day-Stirrat.

Maffei said it was a pleasure and honor to serve the State. She reflected back to 2014, when she started on the Board, it was the very beginning of a huge amount of change in this Agency, and in the ensuing 8 years things went really, really bad and they have gotten so much better. It is really very heartening to her to know that the Agency is under good leadership, and it is going in the right direction; she knows the Agency is in good hands with Day-Stirrat’s leadership.

Briefing: **No Board Action Required.**

**13) Public Comment:**

Only written comments received prior to or by 12:15 p.m. on the day of the meeting were to be accepted. Chair Ashford asked for any written public comments. No public comments.

Comment of Anne MacDonald: MacDonald said she is honored to serve, and looking forward to serving the State of Oregon and helping maintain the standing that DOGAMI has in the State and across the country.

**14) Board Adjourn:**

Chair Ashford adjourned the meeting at 11:31 a.m.

APPROVED

  
\_\_\_\_\_  
Scott Ashford, Chair