

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

**April 17, 2017  
8:30 a.m.**

**Portland, OR**

**Public Meeting Agenda**

The Board makes every attempt to hold strictly to the sequence of the distributed agenda. Times and topics may change up to the last minute, but the times for public comment will be available as indicated below. This agenda is available on the DOGAMI website: [www.oregongeology.org](http://www.oregongeology.org).

- 8:30 a.m. Item 1: Call to Order** – Chair Lisa Phipps
- 8:35 a.m. Item 2: Introductions** – Chair Lisa Phipps and staff
- 8:40 a.m. Item 3: Review Minutes of December 5, 2016**  
Board Action: The Board will be asked to take an action on this item
- 8:45 a.m. Item 4: Financial Report** – Kim Riddell, Chief Financial Officer  
Board Action: The Board will be asked to take an action on this item
- 9:15 a.m. Item 5: MLRR Update** – Ian Madin, Chief Scientist/Deputy Director  
Briefing: The Board will not be asked to take an action on this item
- 10:15 a.m. Item 6: Public Comment**  
Three minutes limit per person unless otherwise specified at the meeting by the Chair
- 10:30 a.m. Break**
- 10:45 a.m. Item 7: Tsunami Line Public Engagement Plan Update** – Ali Hansen, Communications Director  
Board Action: The Board may be asked to take an action on this item
- 11:30 a.m. Item 8: Legislative Progress Report / Budget Hearing** – Brad Avy, Director  
Briefing: The Board will not be asked to take an action on this item
- 12:00 p.m. Break**
- 12:20 p.m. Item 9: Working Lunch - Director’s Report** – Brad Avy, Director  
Briefing: The Board will not be asked to take an action on this item
- 12:50 p.m. Item 10: GS&S Update** – Bill Burns, Natural Hazards Supervisor  
Briefing: The Board will not be asked to take an action on this item

- 1:00 p.m. Item 11: DOGAMI Governing Board Briefing Book 2017 – Brad Avy, Director**  
Board Action: The Board will not be asked to take an action on this item
- 1:10 p.m. Item 12: DOGAMI Governing Board Bylaws – Holly Mercer, Policy Assistant**  
Board Action: The Board may be asked to take an action on this item
- 1:35 p.m. Break**
- 1:50 p.m. Item 13: Executive Session – Annual Director Review**
- 2:50 p.m. Item 14: Return to Public Session**
- 2:55 p.m. Item 15: Annual Director Review – Chair Lisa Phipps**  
Board Action: The Board will be asked to take an action on this item
- 3:10 p.m. Item 16: Public Comment**  
Three minutes limit per person unless otherwise specified at the meeting by the Chair
- 3:20 p.m. Item 17: Confirm Date and Time for next meeting**  
Board Action: The Board may be asked to take an action on this item
- 3:25 p.m. Item 18: Board Adjourn**

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**PLEASE NOTE**

**AGENDA**

The Board meeting will begin at 8:30 a.m., and proceed chronologically through the agenda.

**PUBLIC TESTIMONY**

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

1. Provide written summaries of information to the Board (7 sets);
2. Limit testimony to 3 minutes, recognizing that substance, not length, determines the value of testimony or written information;
3. Endorse rather than repeat testimony of other witnesses; and
4. Designate one spokesperson whenever possible when groups or organizations wish to testify.

**THANK YOU FOR TAKING TIME TO PRESENT YOUR VIEWS**

If you bring written materials to the meeting, please provide seven (7) copies. If you have questions regarding this agenda, please contact Lori Calarruda at (971) 673-1537 or you may email her at [lori.calarruda@oregon.gov](mailto:lori.calarruda@oregon.gov)

**REASONABLE ACCOMMODATION OF DISABILITIES**

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

# Staff Report and Memorandum

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

From: Brad Avy, Director

Date: April 10, 2017

**Regarding: Agenda Item 3 – Review Minutes of December 5, 2016**

Attached are draft Board Minutes from December 5, 2016.

***Proposed Board Action: The Board Minutes of December 5, 2016 be  
Approved/Approved as amended/Not Approved.***

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

Monday, December 5, 2016

8:30 a.m.

*Portland, Oregon*

**1) Call to Order:** (Lisa Phipps, Board Chair)

Chair Lisa Phipps called the meeting to order at 8:32 a.m.

**2) Introductions:** (Lisa Phipps, Board Chair and staff)

Chair Phipps, Vice Chair Laura Maffei, and Board Members Scott Ashford and Katie Jeremiah were in attendance. Dennis Luke was not in attendance.

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

Brad Avy, Director/State Geologist

Lori Calarruda, Recording Secretary/Executive Assistant

Holly Mercer, Assistant Director of Geological Survey and Services (GS&S)

Kim Riddell, Chief Financial Officer (CFO)

Ali Ryan Hansen, Communications Director

Bob Houston, Metallic Ore Geologist/Rules Coordinator

Ian Madin, Chief Scientist/Deputy Director

Jed Roberts, Geologic Survey & Services Manager

Bill Burns, Geologist/Natural Hazards Section Supervisor

Others in attendance:

Diane Lloyd, Department of Justice (DOJ)

Mike Harryman, State Resilience Officer/Governor's Office

Bob Short, OCAPA/Robert Short & Associates

Michael Wagy, OCAPA/CALPORTLAND

Todd Baker, Baker Rock Resources

1 **3) Review Minutes of September 26, 2016:**

2 Phipps asked if there were any changes to the minutes as presented. No changes.

3

4 Board Action: **Ashford moved to approve the minutes of September 26, 2016 as submitted.**

5 **Jeremiah seconded. Motion carried.**

6

7 **4) Financial Report:**

8 Kim Riddell, Chief Financial Officer, presented the budget status report as of October 31, 2016.

9 Riddell stated the Governor's budget came out on Thursday morning and is favorable for DOGAMI

10 but still needs to be approved through the legislative process.

11

12 The packet contained the budget report, the grants/projects list and a Frequently Asked Questions  
13 (FAQ) sheet. As of October close, the agency is projected to carry forward a positive balance: GS&S  
14 \$1.2 million and MLRR \$340,000. The MLRR balance is due to current vacant positions not being  
15 filled. Riddell said the average monthly cost for MLRR is \$120,000 and a 3-month carry-forward  
16 balance is preferred for stability. Because Federal Funds are reimbursable (money is spent first), the  
17 federal fund balance will always show as negative until the close of the biennium. General Fund will  
18 be spent by the end of the biennium. Riddell said she will correct the error in the MLRR indirects line  
19 item.

20  
21 Board Action: **Maffei moved to accept the Budget Status Report as presented. Ashford seconded.**  
22 **Motion carried.**

23  
24 Update to the Board on the Secretary of State (SOS) and FEMA financial audits.

25  
26 Riddell said the SOS audit report was published and came back with no issues or findings that are of  
27 major concern for the Agency. The Agency was fully aware of the items noted and are currently  
28 working on the recommendations. Phipps asked how the Agency follows up on the outstanding  
29 recommendations. Riddell said she will send a response to the SOS as the recommendations are  
30 completed. Riddell also stated that she sent the audit reports to all of the Agency's federal funders  
31 to keep them informed.

32  
33 **5) Director's Report:**

34 Director Avy presented the Director's Report on the following:

35  
36 **Status of Leadership Development Initiative:**

37 Avy handed out a revised organizational chart reflecting recent changes. The Agency has filled the  
38 leadership positions with Jed Roberts as the GS&S manager and both Bill Burns and  
39 Jason McClaughry as supervisors. The new structure was officially implemented on December 1,  
40 2016. Avy stated management presented the organizational chart as a preliminary draft at an All  
41 Staff meeting requesting feedback and said there seems to be real interest in the changes, which  
42 includes staff being engaged along the way.

43 The managers, supervisors and MLRR leads have signed up for supervisory training.  
44 Jason McClaughry is an offsite manager located in Baker City. Being offsite will require management  
45 to ensure the arrangement works for staff. Ashford asked what Avy's plan is to provide feedback to  
46 them from staff. Ashford suggested a check-in point with staff at three months. Avy said they are  
47 committed to implementing annual evaluations but with constant feedback along the way. Avy's  
48 focus is on both evaluations and mentoring to develop capacity and leadership abilities and to work  
49 with and be transparent with staff. Avy stated Roberts did a great job outlining items that need to be  
50 addressed internally and he sensed support from staff and managers on the direction the Agency is  
51 heading. Phipps said she thinks it is a great opportunity for staff.

52  
53 **Calico Update:**

54 Avy stated there was a recent Calico meeting at the Portland office and asked Bob Houston to  
55 provide an update on activities since the last Board meeting.

56 Bob Houston said DOGAMI approved Calico to move forward with 29 holes of a core drilling program.  
57 Going forward they are currently reviewing a deep water well program that will drill 5 wells into the

58 deposit to monitor the ground water and to collect baseline data. Houston said in January DOGAMI  
59 is expecting an amended Notice of Intent to expand the project boundary. Ashford asked if DOGAMI  
60 monitors the ground water. Houston replied there is a third party hydraulic team that collects data  
61 and submits it to the technical review team that is composed of several different natural resource  
62 agency leads, primarily Water Resources, DEQ and DOGAMI. Jeremiah asked if the core drilling  
63 program and ground water monitoring is applicable to their anticipated expansion. Houston  
64 answered the intent is to collect baseline data that will feed into the overall application. Houston  
65 stated the expansion is to provide more room for the processing facility.

66  
67 MLRR Update:

68 Avy said since the last board meeting MLRR has been in a period of transition with Holly Mercer  
69 handing over issues and topics to Ian Madin and asked Madin to provide an overview to the Board.  
70 Madin stated he has been working with Mercer on a transition plan. The staff is doing heroic work  
71 with missing staff. He said Mercer had them focus on items that were backlogged to improve  
72 consistency, customer service and follow through. Staff is focusing on permit applications and  
73 compliance issues by getting outstanding notices of violations cleaned up. The long-term goal is to  
74 take a comprehensive look at the entire operation and decided if there are better ways of doing the  
75 processes and organizing the staff. One idea is to do a streamline process which includes revising the  
76 permit application by using a PDF based form and separating out the specialty forms.

77  
78 Madin said staff is working to get the new applicants to come in for a pre-application meeting to go  
79 over what is required. Madin said another idea is to get the applicants together with other outside  
80 agencies they would deal with later in the process at the beginning of the process instead. Ashford  
81 asked if the Agency will be circulating the information to other agencies to review. Madin answered  
82 yes, they would be getting feedback on it. Ashford asked when the permitting backlog will be done  
83 and Madin stated by the next meeting. Madin said the permit application is good for a year and the  
84 goal is to get them through the process in that time. Phipps asked where the new position would fit  
85 in and Madin stated as a Natural Resource Specialist 2 (NRS 2) and would like to hold off on the NRS 4  
86 until after they have gone through the review process. Phipps asked if the pre-application meeting  
87 will be required and Madin said he was not sure if DOGAMI could require it without a rule change.  
88 Maffei asked if there is another area suffering a backlog to take care of the permit backlog. Madin  
89 said yes it is the field inspections and mentioned the KPM should be reviewed in the future to  
90 address it. Jeremiah said in her experience that the pre-application meeting is valuable and worth it,  
91 but is not a fan of making it a requirement.

92  
93 December Emergency Board:

94 Avy stated DOGAMI has a request into the Emergency Board for retroactive approval to apply for a  
95 \$162,000 USGS grant to conduct lidar to be leveraged with other parties. DOGAMI will be reporting  
96 out during the regular session on DOGAMI's overall progress on financial and accounting  
97 improvements, procedures and policies.

98  
99 Registered Geologist Requirements Update:

100 Avy said there was a meeting with DOGAMI registered geologists and OSBGE. There are nuances  
101 between private industry and agencies and the Board is looking at providing guidance on how  
102 agencies can meet the requirements of statute and regulation. Maffei asked for an example of the

103 requirements. Avy said mostly it is the stamping and signing of documents and when documents are  
104 no longer considered draft.

105  
106 Avy stated that one of the conditions of his continued employment, per his offer letter, was that he  
107 obtain Oregon registration as a geologist. As of last week he is officially licensed as a registered  
108 geologist. The Board congratulated him on passing the exam.

109  
110 Phipps stated that over the next few months the Board will be receiving the paperwork to complete  
111 Avy's annual evaluation at the March meeting.

112  
113 Briefing: **No Board Action Required.**

114  
115 **6) Public Comment:**

116 Phipps asked for public comment.

117  
118 Comment of Todd Baker: Baker said the pre-application meeting is a good idea. He commented on  
119 the application process stating that when it is sent out for comment from other agencies there is no  
120 statutory requirement as to the length of when they need to have them back. This is something the  
121 staff has no control over. Ashford asked it is transparent as to where the holdup is and Baker said yes  
122 staff informs them.

123  
124 **7) Public Involvement Plan – Updating the Tsunami Regulatory Line:**

125 Ali Hansen, Communications Director, discussed the public involvement plan for a potential change  
126 to the tsunami regulatory line. The public involvement overview shows the current status and  
127 proposed timeline. Feedback from the community will help inform, along with science that has been  
128 provided by our staff and a technical advisory committee, which line is proposed during the  
129 rulemaking process.

130  
131 It is important to hear from coastal communities about how a new line may impact places and things  
132 they care about. The plan is specifically designed to listen to what people are saying and make sure  
133 the Agency is getting the best feedback for the Board.

134  
135 Jeremiah asked where does DOJ come in and start advising DOGAMI on the risks of claims. Hansen  
136 stated they have consulted extensively with Diane Lloyd [AAG] to date and she has reviewed the  
137 engagement plan. Ashford asked about the police and fire representing loss of life and Hansen  
138 replied it is both preventing loss of life through effective evacuation and follow on response and  
139 recovery with the help of these critical facilities. Phipps said she thought the wording should reflect  
140 what Hansen just stated so it is clear. Phipps said the one party left out is the Tribes and Hansen said  
141 it is in later versions and was corrected after the packet went out.

142  
143 Avy asked Hansen to provide some background on Pat Corcoran's role. Hansen said Pat's role is to  
144 help ensure DOGAMI gets folks to the table and provide checks and balances for her to make sure  
145 the conversations are connective, open, and participatory to collect the best possible information.

146  
147 Avy asked Mike Harryman, the State Resilience Officer, to speak to his part in this process. Harryman  
148 said he will attend as many of the meetings along the coast as he can to talk about connecting with  
149 state and local jurisdictions. One of his focuses is on mass care and mass displacement with partner

150 agencies and NGOs, mainly Department of Human Services, Oregon Food Bank, American Red Cross  
151 and recommendations from the Oregon Seismic Safety Policy Advisory Commission (OSSPAC) that tie  
152 back to the Oregon Resiliency Plan. Harryman said CMS is the overseer of Medicare and Medicaid  
153 and they just updated a rule that requires all medical providers and suppliers that receive Medicare  
154 and/or Medicaid funding to do preparedness planning, training and risk assessments. They have one  
155 year to get ready for this new rule that goes in effect November 2017. Ashford asked for clarification  
156 on the type of facilities. Harryman said they include long-term care centers, ambulatory surgery  
157 centers, urgent care facilities, pharmaceutical world, etc. The Oregon Health Authority signed mutual  
158 aid agreements with three of the five big box stores for doing pharmaceutical emergency  
159 preparedness planning so that communities/counties can then sign in on this and then work directly  
160 with those local pharmacies so when they are cut off or isolated they will have pharmaceutical  
161 support pretty close to their whereabouts. Just think of it as anything to do with the healthcare  
162 industry and there is a Medicare dollar, there will be strings attached now in the world of emergency  
163 preparedness.

164  
165 Maffei asked when this will come back to the Board for the start of rulemaking. Hansen said at the  
166 June Board meeting. Ashford asked if there is a financial obligation for Pat Corcoran and Hansen said  
167 they are looking at working out a plan to cover expenses. Avy asked Hansen to describe the planned  
168 meetings. Hansen said DOGAMI is focusing on more direct engagement to ensure complete  
169 understanding of the process through targeted outreach. Ashford asked if there will be public  
170 meetings and Hansen said that will depend on information gathered since public meetings would be  
171 the last phase. Ashford said the public tends to want to be heard and part of the process. Hansen  
172 said this information will be posted online and available to the public.

173  
174 Hansen handed out materials to reflect potential changes. Phipps asked if the lavender is the  
175 suggested area and Hansen confirmed. Hansen stated that larger size maps will be handed out at  
176 meetings if internet is not available. Jeremiah asked if individuals will be notified of the changes and  
177 Hansen replied no. Ashford said that staff at OSU has created a program called O-HELP that might be  
178 able to help with an interactive map.

179  
180 Board Action: **Maffei moved to approve the Public Involvement Plan – Updating the Tsunami**  
181 **Regulatory Line as presented and have the staff move forward with it. Ashford seconded. Motion**  
182 **carried.**

183  
184 **8) Public Comment:**

185 Phipps asked for public comment.

186  
187 Comment of Bob Short: Short asked how the senior assisted living would be considered in this plan.  
188 Phipps asked Harryman if that would fall under medical facilities with 50 or more residents or where  
189 that would fall depending on the size of the facility. Group discussion followed. [Local building code  
190 officials would determine whether new assisted living facilities would be subjected to development  
191 restrictions.]

192  
193 **9) Board Acknowledgement:**

194 Phipps presented a plaque from the Board to Holly Mercer for her work and efforts to bring the  
195 Agency forward. Maffei thanked Holly for her work.

196



197 The plaque reads: Presented on behalf of the Department of Geology and Mineral Industries and its  
198 Governing Board – In recognition of Holly Mercer's leadership, calm nature, and sense of humor in  
199 helping lead the Department through a challenging time.

200

201 Mercer said she was looking for a challenge a year and a half ago and found it. She said the staff is  
202 incredible and they always work hard. It has been a challenge and fun. Avy stated that it has been a  
203 joy to work with Holly and her insight has been key to making the progress that has been made.

204

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

206

207 **10) Confirm Time and Date for next Meeting:**

208 Phipps confirmed next Board meeting for Monday, March 13, 2017 in the Portland Office.

209

210 **11) Board Adjourn:**

211 At the conclusion of the public comment period, Chair Phipps adjourned the meeting at 9:57 a.m.

212

213 APPROVED

214

215

216

217 \_\_\_\_\_  
Lisa Phipps, Chair

218

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# Staff Report and Memorandum

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

From: Kim Riddell, Chief Financial Officer

Date: April 10, 2017

**Regarding: Agenda Item 4 – Financial Report**

Attached is the DOGAMI Budget Status Report, as of March 31, 2017 for both the Geological Survey and Services (GS&S) Program and the Mineral Land Regulation & Reclamation (MLRR) Program.

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

Department of Geology & Mineral Industries  
Budget Status Report: As of March 31, 2017

|                        |                             |
|------------------------|-----------------------------|
| % of Time Spent<br>88% | % of Time Remaining:<br>12% |
|------------------------|-----------------------------|

Geological Survey & Services (GS&S) Program

| Budget Category / Line Item          | 2015-17 Budget by Funding Source |                     |                  |                     | 2015-17 Actual Revenue & Expenditures |                     |                    |                     | Budget Spent |     |     |     | Budget Remaining |     |     |     |
|--------------------------------------|----------------------------------|---------------------|------------------|---------------------|---------------------------------------|---------------------|--------------------|---------------------|--------------|-----|-----|-----|------------------|-----|-----|-----|
|                                      | General                          | Other               | Federal          | All                 | General                               | Other               | Federal            | All                 | GF           | OF  | FF  | All | GF               | OF  | FF  | All |
|                                      | Funds                            | Funds               | Funds            | Funds               | Funds                                 | Funds               | Funds              | Funds               |              |     |     |     |                  |     |     |     |
| <b>Revenue</b>                       |                                  |                     |                  |                     |                                       |                     |                    |                     |              |     |     |     |                  |     |     |     |
| Beginning Balance                    | -                                | 1,194,513           | -                | 1,194,513           | -                                     | 1,194,513           | -                  | 1,194,513           |              |     |     |     |                  |     |     |     |
| 2015-17 Revenue                      | 4,806,968                        | 4,273,213           | 6,865,670        | 15,945,851          | 4,126,899                             | 2,034,129           | 4,890,524          | 11,051,552          |              |     |     |     |                  |     |     |     |
| <b>Total Available Revenue</b>       | <b>4,806,968</b>                 | <b>5,467,726</b>    | <b>6,865,670</b> | <b>17,140,364</b>   | <b>4,126,899</b>                      | <b>3,228,642</b>    | <b>4,890,524</b>   | <b>12,246,065</b>   | 86%          | 59% | 71% | 71% | 14%              | 41% | 29% | 29% |
| <b>Expenditures:</b>                 |                                  |                     |                  |                     |                                       |                     |                    |                     |              |     |     |     |                  |     |     |     |
| <i>Personnel Services</i>            | 2,950,781                        | 971,415             | 2,433,910        | 6,356,106           | 2,314,355                             | 885,841             | 1,888,916          | 5,089,112           | 78%          | 91% | 78% | 80% | 22%              | 9%  | 22% | 20% |
| <i>Services &amp; Supplies</i>       |                                  |                     |                  |                     |                                       |                     |                    |                     |              |     |     |     |                  |     |     |     |
| Instate Travel                       | 11,921                           | 69,486              | 170,519          | 251,926             | 76,390                                | 12,193              | 22,143             | 110,726             |              |     |     |     |                  |     |     |     |
| Out of State Travel                  | 7,177                            | 22,405              | 6,294            | 35,876              | 21,747                                | 5,885               | 7,879              | 35,511              |              |     |     |     |                  |     |     |     |
| Employee Training                    | 2,569                            | 9,933               | 12,956           | 25,458              | 33,442                                | 682                 | 1,260              | 35,384              |              |     |     |     |                  |     |     |     |
| Office Expenses                      | 13,034                           | 30,903              | 4,419            | 48,356              | 29,291                                | 1,148               | 172                | 30,611              |              |     |     |     |                  |     |     |     |
| Telecomm                             | 5,728                            | 218                 | 9,395            | 15,341              | 50,583                                | -                   | -                  | 50,583              |              |     |     |     |                  |     |     |     |
| State Gov't Svc Chg                  | 255,945                          | 287,998             | 24,927           | 568,870             | 290,574                               | -                   | -                  | 290,574             |              |     |     |     |                  |     |     |     |
| Data Processing                      | 191,054                          | -                   | 6,841            | 197,895             | 176,160                               | -                   | -                  | 176,160             |              |     |     |     |                  |     |     |     |
| Publicity & Publications             | -                                | 3,154               | 57,231           | 60,385              | 12,751                                | 2,760               | -                  | 15,511              |              |     |     |     |                  |     |     |     |
| Professional Services                | 776,280                          | 1,558,824           | 3,492,630        | 5,827,734           | 665,281                               | 797,344             | 2,721,785          | 4,184,410           |              |     |     |     |                  |     |     |     |
| IT Professional Services             | 13,500                           | -                   | -                | 13,500              | 12,483                                | -                   | -                  | 12,483              |              |     |     |     |                  |     |     |     |
| Employee Recruitment                 | 268                              | 1,309               | -                | 1,577               | -                                     | -                   | -                  | -                   |              |     |     |     |                  |     |     |     |
| Dues & Subscriptions                 | 1,430                            | 795                 | 2,109            | 4,334               | 8,030                                 | -                   | 10                 | 8,040               |              |     |     |     |                  |     |     |     |
| Facilities Rent                      | 215,465                          | 167,133             | 51,767           | 434,365             | 332,976                               | -                   | 1,405              | 334,381             |              |     |     |     |                  |     |     |     |
| Fuels & Utilities                    | -                                | -                   | -                | -                   | 2,492                                 | -                   | -                  | 2,492               |              |     |     |     |                  |     |     |     |
| Facilities Maintenance               | -                                | -                   | -                | -                   | 113                                   | -                   | -                  | 113                 |              |     |     |     |                  |     |     |     |
| Agency Related S & S                 | -                                | -                   | 2,500            | 2,500               | 1,898                                 | -                   | 1,581              | 3,479               |              |     |     |     |                  |     |     |     |
| Intra agency Charges                 | -                                | -                   | -                | -                   | -                                     | -                   | -                  | -                   |              |     |     |     |                  |     |     |     |
| Other Services & Suppl               | 154,220                          | 413,821             | 534,209          | 1,102,250           | (217,944)                             | 212,700             | 328,416            | 323,171             |              |     |     |     |                  |     |     |     |
| Attorney General                     | 4,640                            | (655)               | -                | 3,985               | 38,813                                | -                   | (3,589)            | 35,224              |              |     |     |     |                  |     |     |     |
| Undistributed (S&S)                  | -                                | -                   | -                | -                   | -                                     | -                   | -                  | -                   |              |     |     |     |                  |     |     |     |
| Data Processing Hardw                | -                                | -                   | -                | -                   | 22,979                                | 3,108               | -                  | 26,087              |              |     |     |     |                  |     |     |     |
| Expendable Prop (\$250-              | 41,514                           | 18,489              | 27,341           | 87,344              | 22,111                                | 443                 | -                  | 22,554              |              |     |     |     |                  |     |     |     |
| IT Expendable Property               | 161,442                          | -                   | 28,622           | 190,064             | 175,304                               | 10                  | 1,425              | 176,739             |              |     |     |     |                  |     |     |     |
| Technical Equipment                  | -                                | -                   | -                | -                   | 57,072                                | 53                  | -                  | 57,125              |              |     |     |     |                  |     |     |     |
| <i>Total Services &amp; Supplies</i> | 1,856,187                        | 2,583,813           | 4,431,760        | 8,871,760           | 1,812,544                             | 1,036,325           | 3,082,486          | 5,931,356           | 98%          | 40% | 70% | 67% | 2%               | 60% | 30% | 33% |
| <b>Total Expenditures</b>            | <b>4,806,968</b>                 | <b>3,555,228</b>    | <b>6,865,670</b> | <b>15,227,866</b>   | <b>4,126,899</b>                      | <b>1,922,167</b>    | <b>4,971,402</b>   | <b>11,020,468</b>   | 86%          | 54% | 72% | 72% | 14%              | 46% | 28% | 28% |
| <b>GS&amp;S Ending Balance</b>       | <b>\$ -</b>                      | <b>\$ 1,912,498</b> | <b>\$ -</b>      | <b>\$ 1,912,498</b> | <b>\$ -</b>                           | <b>\$ 1,306,475</b> | <b>\$ (80,878)</b> | <b>\$ 1,225,597</b> |              |     |     |     |                  |     |     |     |
| <b>Est. Unallocated Indirect</b>     | <b>-</b>                         | <b>-</b>            | <b>-</b>         | <b>-</b>            | <b>-</b>                              | <b>-</b>            | <b>-</b>           | <b>-</b>            | 86%          | 54% | 72% | 72% | 14%              | 46% | 28% | 28% |

Mineral Land Regulation & Reclamation (MLRR) Program

| Budget Category / Line Item          | 2015-17 Budget by Funding Source |                   |             |                   | 2015-17 Revenue & Expenditures |                   |             |                   | Spent Budget |    |    |      | Remaining Budget |    |    |     |
|--------------------------------------|----------------------------------|-------------------|-------------|-------------------|--------------------------------|-------------------|-------------|-------------------|--------------|----|----|------|------------------|----|----|-----|
|                                      | General                          | Other             | Federal     | All               | General                        | Other             | Federal     | All               | GF           | OF | FF | All  | GF               | OF | FF | All |
|                                      | Funds                            | Funds             | Funds       | Funds             | Funds                          | Funds             | Funds       | Funds             |              |    |    |      |                  |    |    |     |
| <b>Revenue</b>                       |                                  |                   |             |                   |                                |                   |             |                   |              |    |    |      |                  |    |    |     |
| Beginning Balance                    | -                                | 152,600           | -           | 152,600           | -                              | 152,600           | -           | 152,600           |              |    |    |      |                  |    |    |     |
| 2015-17 Revenue                      | -                                | 2,979,703         | -           | 2,979,703         | -                              | 2,386,270         | -           | 2,386,270         |              |    |    |      |                  |    |    |     |
| <b>Total Available Revenue</b>       | <b>-</b>                         | <b>3,132,303</b>  | <b>-</b>    | <b>3,132,303</b>  | <b>-</b>                       | <b>2,538,870</b>  | <b>-</b>    | <b>2,538,870</b>  | 81%          |    |    | 81%  | 19%              |    |    | 19% |
| <b>Expenditures:</b>                 |                                  |                   |             |                   |                                |                   |             |                   |              |    |    |      |                  |    |    |     |
| <i>Personnel Services</i>            | -                                | 2,216,124         | -           | 2,216,124         | -                              | 1,753,324         | -           | 1,753,324         | 79%          |    |    | 79%  | 21%              |    |    | 21% |
| <i>Services &amp; Supplies</i>       |                                  |                   |             |                   |                                |                   |             |                   |              |    |    |      |                  |    |    |     |
| Instate Travel                       | -                                | 65,864            | -           | 65,864            | -                              | 36,331            | -           | 36,331            |              |    |    |      |                  |    |    |     |
| Out of State Travel                  | -                                | -                 | -           | -                 | -                              | 488               | -           | 488               |              |    |    |      |                  |    |    |     |
| Employee Training                    | -                                | -                 | -           | -                 | -                              | 4,653             | -           | 4,653             |              |    |    |      |                  |    |    |     |
| Office Expenses                      | -                                | 29,067            | -           | 29,067            | -                              | 21,424            | -           | 21,424            |              |    |    |      |                  |    |    |     |
| Telecomm                             | -                                | 44,161            | -           | 44,161            | -                              | 30,521            | -           | 30,521            |              |    |    |      |                  |    |    |     |
| State Gov't Svc Chg                  | -                                | -                 | -           | -                 | -                              | -                 | -           | -                 |              |    |    |      |                  |    |    |     |
| Data Processing                      | -                                | -                 | -           | -                 | -                              | 3,562             | -           | 3,562             |              |    |    |      |                  |    |    |     |
| Publicity & Publications             | -                                | 3,281             | -           | 3,281             | -                              | 8,689             | -           | 8,689             |              |    |    |      |                  |    |    |     |
| Professional Services                | -                                | 91,305            | -           | 91,305            | -                              | 89,131            | -           | 89,131            |              |    |    |      |                  |    |    |     |
| IT Professional Services             | -                                | -                 | -           | -                 | -                              | 2,000             | -           | 2,000             |              |    |    |      |                  |    |    |     |
| Attorney General                     | -                                | 51,373            | -           | 51,373            | -                              | 92,062            | -           | 92,062            |              |    |    |      |                  |    |    |     |
| Employee Recruitment                 | -                                | -                 | -           | -                 | -                              | -                 | -           | -                 |              |    |    |      |                  |    |    |     |
| Dues & Subscriptions                 | -                                | 561               | -           | 561               | -                              | 295               | -           | 295               |              |    |    |      |                  |    |    |     |
| Facilities Rent                      | -                                | 71,844            | -           | 71,844            | -                              | 77,198            | -           | 77,198            |              |    |    |      |                  |    |    |     |
| Fuels & Utilities                    | -                                | 10,629            | -           | 10,629            | -                              | 13,079            | -           | 13,079            |              |    |    |      |                  |    |    |     |
| Facilities Maintenance               | -                                | 10,595            | -           | 10,595            | -                              | 4,785             | -           | 4,785             |              |    |    |      |                  |    |    |     |
| Agency Related S & S                 | -                                | -                 | -           | -                 | -                              | 229               | -           | 229               |              |    |    |      |                  |    |    |     |
| Intra agency Charges                 | -                                | -                 | -           | -                 | -                              | -                 | -           | -                 |              |    |    |      |                  |    |    |     |
| Other Services & Suppl               | -                                | 32,672            | -           | 32,672            | -                              | 33,282            | -           | 33,282            |              |    |    |      |                  |    |    |     |
| Undistributed (S&S)                  | -                                | -                 | -           | -                 | -                              | -                 | -           | -                 |              |    |    |      |                  |    |    |     |
| Expendable Prop (\$250-              | -                                | 4,486             | -           | 4,486             | -                              | 5,959             | -           | 5,959             |              |    |    |      |                  |    |    |     |
| IT Expendable Property               | -                                | 26,115            | -           | 26,115            | -                              | 17,248            | -           | 17,248            |              |    |    |      |                  |    |    |     |
| <i>Total Services &amp; Supplies</i> | -                                | 441,953           | -           | 441,953           | -                              | 440,938           | -           | 440,938           | 100%         |    |    | 100% | 0%               |    |    | 0%  |
| <b>Total Expenditures</b>            | <b>-</b>                         | <b>2,658,077</b>  | <b>-</b>    | <b>2,658,077</b>  | <b>-</b>                       | <b>2,194,262</b>  | <b>-</b>    | <b>2,194,262</b>  | 83%          |    |    | 83%  | 17%              |    |    | 17% |
| <b>MLRR Ending Balance</b>           | <b>\$ -</b>                      | <b>\$ 474,226</b> | <b>\$ -</b> | <b>\$ 474,226</b> | <b>\$ -</b>                    | <b>\$ 344,608</b> | <b>\$ -</b> | <b>\$ 344,608</b> |              |    |    |      |                  |    |    |     |
| Uncharged Indirect                   | -                                | -                 | -           | -                 | -                              | -                 | -           | -                 |              |    |    |      |                  |    |    |     |
| <b>MLRR Ending Balance</b>           | <b>-</b>                         | <b>-</b>          | <b>-</b>    | <b>-</b>          | <b>-</b>                       | <b>344,608</b>    | <b>-</b>    | <b>344,608</b>    |              |    |    |      |                  |    |    |     |

DOGAMI AY 2015 - 2017  
Current and Projected Projects

As of March 31, 2017

| Grant / PCA | Grant / PCA Title                         | Award     | Expenditure | Remaining | Notes   |
|-------------|---|-----------|-------------|-----------|---|
| 32000       | NATURE OF THE NORTHWEST                   | 17,399    | 28,205      | (10,806)  | To be paid by GF - store closure                      |
| BFE210      | BASE FLOOD ELEVATION (BFE) DETERMINATION  | 10,125    | 10,612      | (487)     | Multiple individual public initiated project requests |
| BLM032      | EASTERN OREGON LIDAR ACQ                  | 305,688   | 305,688     | 0         |   |
| BLM171      | EUGENE LIDAR ACQ                          | 1,011,552 | 1,011,552   | 0         |   |
| BLM271      | GRANTS PASS OREGON LIDAR COLLECTION       | 534,800   | 534,800     | 0         |   |
| BLM272      | ROSEBURG, OREGON LIDAR COLLECTION         | 886,000   | 886,000     | 0         |   |
| BLM273      | SALEM OREGON LIDAR COLLECTION             | 435,930   | 435,927     | 3         |   |
| BLM345      | LANDSCAPE MAPPING MILL CREEK & COOS BAY   | 48,933    | 42,577      | 6,356     |   |
| BLM382      | KENO AOI LIDAR                            | 281,964   | 281,964     | 0         |   |
| CCB701      | CITY OF CANNON BEACH SAND STUDY           | 30,846    | 15,874      | 14,972    |   |
| CC0013      | CURRY COUNTY ELK RIVER SPIT               | 17,808    | 5,321       | 12,487    |   |
| CF0214      | DAS/CF0: FACILITIES ASSESSMENT            | 200,000   | 200,122     | (122)     | Amendment for additional funding is pending           |
| COE002      | USACE FLOOD ANAL-LIDR-MIDFORK-WILLR-FERN  | 264,325   | 206,821     | 57,504    |   |
| COE003      | WILLAMETTE VALLEY LEVEE INVENTORY         | 20,000    | 20,000      | 0         |   |
| DEQ515      | DEQ: RIVERBEND LANDFILL ANALYSIS          | 10,000    | 6,627       | 3,373     |   |
| DLC030      | DLCD: NHMP 2014                           | 22,500    | 22,500      | 0         |   |
| DLCjon      | 2016 TSUNAMI LAND USE                     | 133,036   |             | 133,036   | Pending project                                       |
| DOE045      | ODOE: ENERGY FACILITY SITING COUNCIL      | 25,000    | 4,949       | 20,051    |   |
| DOT719      | ODOT - US101 GREEN INFRASTRUCTURE         | 340,600   |             | 340,600   | New grant   |
| DSL004      | DSL: MINERAL INDUSTRIES LAYER OF OREGON   | 31,996    | 31,996      | 0         | Amendment for additional funding is pending           |
| FEM007      | 2013 CTP AGREEMENT - MAS 12               | 542,493   | 559,453     | (16,960)  | Overage will be moved to FEM288 (Same work)           |
| FEM012      | FEMA MAS 21 - CTP 2016                    | 340,600   | 21,760      | 318,840   |   |
| FEM013      | FEMA MAS 22: LIDAR JOHN DAY/GRASS VALLEY  | 549,010   |             | 549,010   |   |
| FEM017      | FEMA FY16 CERC 1: LANDSLIDE GUIDE         | 83,060    |             | 83,060    |   |
| FEM104      | 2015 CTP MAS18: MULTIHAZARD RISK ASMINT   | 60,047    | 44,246      | 15,801    |   |
| FEM106      | 2015 CTP MAS 20: LANDSLIDE RISK ASMINT    | 161,687   | 71,308      | 90,380    |   |
| FEM107      | 2015 CTP MAS 19: UPPER WILLAMETTE LIDAR   | 148,770   | 148,770     | 0         |   |
| FEM284      | OREGON & WASHINGTON LIDAR                 | 663,201   | 663,201     | 0         |   |
| FEM288      | RISK MAP ASSESSMENT 2014 CTP MAS 14       | 499,138   | 464,934     | 34,204    |   |
| FEM289      | PORTLAND LANDSLIDE ASMT 2014 CTP MAS 15   | 175,254   | 187,726     | (12,472)  | Over budget - to be paid with GF                      |
| FEM298      | IDAHO LIDAR ASSESSMENT                    | 454,594   | 454,594     | 0         |   |
| GEO019      | 2013 DAS GEO LANDSLIDE SUSCEPTIBIL-41480  | 46,812    | 57,438      | (10,626)  | Over budget - to be paid with GF                      |
| GEO099      | DAS GEO RADON 2015                        | 86,252    | 39,161      | 47,091    |   |
| GEO703      | DAS/GEO-WILLAMETTE VALLEY LEVEE INVENTORY | 67,546    | 52,210      | 15,336    |   |
| GEO815      | DAS/GEO: CUSP & NHD INTEGRATION           | 93,282    | 51,011      | 42,271    |   |
| GFL002      | USG101 3DEP STATE COST SHARING            | 770,500   | 719,042     | 51,458    | GF - Lidar Match for USG101                           |
| GFL003      | PSOB LIBRARY PROJECT                      | 0         | 114,613     | (114,613) | GF - no 'budget' - Library move                       |
| GFL004      | FUNDING PROPOSAL DEVELOPMENT              | 0         | 85,567      | (85,567)  | GF - no 'budget'                                      |
| GFL005      | PUBLIC OUTREACH AND EDUCATION             | 0         | 55,334      | (55,334)  | GF - no 'budget'                                      |
| GFL006      | PROJECT OVER ALLOCATION                   | 0         | 208,677     | (208,677) | GF - no 'budget' - This is for project over runs      |

DOGAMI AY 2015 - 2017  
Current and Projected Projects  
As of March 31, 2017

| Grant / PCA | Grant / PCA Title                        | Award   | Expenditure | Remaining | Notes                              |
|-------------|--|---------|-------------|-----------|------------------------------------|
| GF007       | FERC: OILNG REVIEW                       | 0       | 3,815       | (3,815)   | GF - no 'budget'                   |
| L00001      | OLC CROOKED RIV                          | 3,561   | 3,561       | 0         |                                    |
| L00002      | LIDAR WALLOWA 2015                       | 134,291 | 134,291     | 0         |                                    |
| L00003      | OLC LOWER MALHEUR 2015                   | 67,000  | 67,000      | 0         |                                    |
| L00004      | OLC CHELAN                               | 43,361  | 43,361      | 0         |                                    |
| L00005      | OLC UPPER ROGUE (MEDFORD)                | 21,060  | 21,060      | 0         |                                    |
| L00006      | LIDAR - OLC SNAKE RIVER                  | 100,379 | 100,379     | 0         |                                    |
| L00007      | LIDAR - OLC BENTON-YAKIMA                | 21,200  | 21,200      | 0         |                                    |
| L00008      | OLC BIG WOOD 2015                        | 10,000  | 10,000      | 0         |                                    |
| L00011      | OLC FOUR RIVERS                          | 299,428 | 299,428     | 0         |                                    |
| L00013      | OLC LANE COUNTY 2013                     | 289,721 | 289,721     | 0         |                                    |
| L00014      | OLC METRO 2014                           | 894,110 | 894,110     | 0         |                                    |
| L00015      | OLC UPPER UMPQUA (ROSEBURG)              | 32,074  | 32,074      | 0         |                                    |
| L00017      | OLC WASCO 2014                           | 298,848 | 264,788     | 34,060    |                                    |
| L00019      | LIDAR OLC UMATILLA 2015                  | 25,692  | 21,041      | 4,651     |                                    |
| L00021      | LANE COUNCIL OF GOVERNMENTS              | 114,924 | 106,619     | 8,305     |                                    |
| L00022      | OREGON DEPARTMENT OF FORESTRY            | 138,803 | 138,898     | (95)      |                                    |
| NOA034      | FY 2015 OREGON TSUNAMI HAZARD MITIGATION | 332,955 | 231,341     | 101,614   |                                    |
| NOA037      | FY 2016 OREGON TSUNAMI HAZARD MITIGATION | 445,603 | 29,258      | 416,345   |                                    |
| NOA048      | FY 2014 OREGON TSUNAMI HAZARD MITIGATION | 319,107 | 319,107     | 0         |                                    |
| NRC014      | LIDAR                                    | 460,000 |             | 460,000   |                                    |
| NRC039      | NRCS ONTARIO/WALLOWA IRRIGATION          | 99,000  | 99,000      | 0         |                                    |
| NRC079      | NRCS:LIDAR WHITE RIVER WATERSHED, WASCO  | 50,000  | 50,000      | 0         |                                    |
| OEM172      | OEM: RDPO UASI                           | 426,134 | 206,190     | 219,944   |                                    |
| OEM181      | (blank)                                  | 300,000 |             | 300,000   | Pending project                    |
| OH4763      | OHA COASTAL HOSPITAL RESILIENCE          | 48,000  | 23,364      | 24,636    |                                    |
| OSL815      | OREGON STATE LIBRARY/LSTA FED (61300)    | 39,962  | 60,495      | (20,533)  | GF Portion - \$20,533 paid with GF |
| OSU3AA      | OSU COAST LS & BLUFF MONITORING          | 12,000  | 577         | 11,423    |                                    |
| OSU9AA      | 2016 OSU ENHANCING LANDSLIDE INV W/LIDAR | 12,157  | 1,629       | 10,527    |                                    |
| OSU0NC      | OSU SEA LEVEL RISE 2014                  | 7,280   | 1,405       | 5,875     |                                    |
| PWB202      | LIQUIFACTION OREGON RESILIENCE PLAN      | 5,103   | 4,166       | 937       |                                    |
| UOW209      | NANOOS: UNIVERSITY OF WASHINGTON         | 60,000  | 15,539      | 44,461    |                                    |
| UOW562      | NANOOS: UNIVERSITY OF WASHINGTON         | 178,056 | 130,714     | 47,342    |                                    |
| USG086      | LANE SOUTH SISTERS LIDAR                 | 346,000 | 346,000     | 0         |                                    |
| USG096      | WHITE RIVER, MILE CREEK, WASCO           | 319,000 | 319,000     | 0         |                                    |
| USG098      | PORTLAND METRO LIDAR                     | 56,885  | 56,885      | 0         |                                    |
| USG101      | 3D ELEVATION PROGRAM (3DEP)              | 770,500 | 770,500     | 0         |                                    |
| USG170      | USGS INV. OF CASCADIA EQ LANDSLIDES      | 120,224 | 6,274       | 113,950   |                                    |
| USG179      | MID COLUMBIA, HARNEY BASIN,N CENTRAL OR  | 337,341 | 304,577     | 32,764    |                                    |
| USG180      | SOUTH COAST & MIDDLE COLUMBIA BASIN MAPG | 330,580 | 330,575     | 5         |                                    |

DOGAMI AY 2015 - 2017  
 Current and Projected Projects  
 As of March 31, 2017

| Grant / PCA        | Grant / PCA Title                    | Award             | Expenditure       | Remaining        | Notes                            |
|--------------------|--------------------------------------|-------------------|-------------------|------------------|----------------------------------|
| WAS641             | WASHINGTON COUNTY: AREA 93 LANDSLIDE | 72,931            | 17,409            | 55,521           |                                  |
| WRD013             | OWRD DUFUR QUAD MAPPING 2014         | 70,272            | 75,816            | (5,545)          | Over budget - to be paid with GF |
| WRD015             | OWRD - CRANE PROJECT 2017            | 93,777            | 6,118             | 87,659           |                                  |
| WRD216             | OWRD DUFUR QUAD MAPPING 2016         | 100,000           | 75,442            | 24,558           |                                  |
| <b>Grand Total</b> |                                      | <b>17,278,066</b> | <b>13,983,305</b> | <b>3,294,761</b> |                                  |

# 2015 – 2017 Budget FAQ

## BUDGET STATUS REPORT

### **Why is the Federal Fund ending balance negative for GS&S?**

Federal funding is 'reimbursable'. The revenue is drawn after expenditures are incurred. Draws are completed at least monthly for actual costs. Revenue and expenditure will 'zero out' (be equal) at biennium close as federal funds must balance to zero.

### **Why is the GS&S expenditure negative in Other Services & Supplies General Fund?**

This negative happens as the indirect costs are allocated. All general fund indirect line-items expenses are redistributed to Federal Fund and Other Fund grants using Other Services and Supplies coding to easily identify indirect costs.

### **How is the current cash flow looking for MLRR?**

There is currently a positive cash flow in MLRR. The current funds will help support a 5% work out of class increase in pay for the two new leads at MLRR; an increase in Department of Justice costs as the agency is engaging legal counsel with review of program rules, processes, policies and procedures. The average monthly cost for MLRR is \$120,000. It is 'standard practice' to have 3 months' worth of cash reserve.

## CURRENT AND PROJECTED PROJECTS LIST

### **What is the 'Project Over-allocation' grant?**

This grant captures the costs that are over the awarded amounts for projects. DOGAMI will be tracking these costs to better forecast future project budgets on applications.

### **Why do some grants have a negative projection?**

These are project over-allocations that have not yet been moved to the 'Project Over-allocation' grant.

# Staff Report and Memorandum

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

From: Ian Madin, Chief Scientist & Deputy Director

Date: April 10, 2017

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

Chief Scientist & Deputy Director Ian Madin will provide an update on the Current Status and Path Forward for MLRR.

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



## Board MLRR Briefing

### Current Program Status

#### *Permitting*

We are making good progress on the permitting backlog, and experiencing an unusual number of recent applications. We recently completed a new pdf-based application form that is updated and streamlined and has been reviewed by the aggregate community. It will be deployed shortly. We are also working on a new complaint form and a new inspection form.

#### **Backlog - Applications received prior to 6/1/2016**

|             | AMD | NEW | TRAN | TOTAL |
|-------------|-----|-----|------|-------|
| # Active    | 13  | 16  | 0    | 29    |
| # Issued    | 16  | 7   | 16   | 39    |
| # Withdrawn | 1   | 9   | 1    | 11    |
|             |     |     |      | 79    |

#### **New - Applications received on or after 6/1/2016**

|             | AMD | NEW | TRAN | TOTAL |
|-------------|-----|-----|------|-------|
| # Active    | 6   | 7   | 3    | 16    |
| # Issued    | 2   | 3   | 5    | 12    |
| # Withdrawn | 0   | 0   | 1    | 1     |
|             |     |     |      | 29    |

#### **Applications Submitted in 2017**

|             | AMD | NEW | TRAN | TOTAL |
|-------------|-----|-----|------|-------|
| # Active    | 3   | 3   | 1    | 7     |
| # Issued    | 0   | 0   | 3    | 3     |
| # Withdrawn | 0   | 0   | 0    | 0     |
|             |     |     |      | 10    |

### *Storm water Program*

DOGAMI oversees storm water discharge permits at mines as an agent for DEQ. These permits are renewed every 5 years, and 2017 is the renewal year. We are beginning conversations with DEQ about the new permit standards and process, and have begun recruiting for a full-time NRS 3 position to do the work, with funding from DEQ permit fees.

Due to the very wet winter and spring DOGAMI has been following up on and coordinating with DEQ on a number of water quality complaints in Northwest and Southwest Oregon.

### *Oil and Gas*

Drilling is beginning for several new wells in the Mist Gas field. These are injection and recovery wells for a new natural gas storage field that NW Natural is developing. DOGAMI will be visiting sites and monitoring drilling as necessary.

### *Exploration*

We have been reviewing our exploration permits and closing out old ones. We have received requests for application for two new permits, one for drilling at the Quartz Mountain gold deposit, and another for bentonite. In the last 6 months, Katey Exploration has staked nearly 20,000 acres nears Stockade Mountain in Malheur County. We have contacted them to offer to work with them if they need exploration permits.

### *Tonquin/Coffee Lake Groundwater*

We have a new permit application in progress for a basalt quarry between Wilsonville and Sherwood. It is adjacent to two existing quarries that are nearing the end of their life. They are however dewatering their pits, which is beginning to cause declines in groundwater and interference with adjacent wells. The area is classified as a Groundwater Limited area by OWRD. We are concerned that dewatering of the new quarry could lead to significant impacts on the local groundwater resources, so we intend to require that the applicant prepare a computer groundwater model to demonstrate that the dewatering can proceed without significant impact on the groundwater resource. There are also wetlands areas at the site that may be impacted, including a wetland extending off the property onto the Tualatin River National Wildlife Refuge owned and managed by the US Fish and Wildlife Service. DOGAMI is coordinating with DSL on the potential impacts to wetlands both on and off site.

### *Construction sites*

Permitting at construction sites is becoming an increasingly difficult issue. In 2007 the legislature removed construction projects from the list of activities exempt from the definition of surface mining and the requirement for DOGAMI permitting. DOGAMI took no action on this change until 2014 when we were informed that Riverbend Landfill needed a permit for their excavation work. As a result, we eventually issued them a permit and have several other landfill applications in progress. This has become a point of conflict with SB 1036, which would exempt landfills from the need for permits. We have yet to decide how to proceed with the remaining unpermitted landfills.

As the result of resident complaints, we have become aware of significant issues in Bend where utility construction and subdivision development grading appear to meet the definition of mining. Contractors are excavating basalt to prepare sites, and are crushing the material onsite for use, or exporting it.

Residents have complained about the dust from the crushers, which is an aspect DOGAMI can regulate under an Operating Permit. We are negotiating with the City of Bend and a private contractor for the first such permits. We are conducting legal research to determine how we can fit these projects into our permit requirements without undue burden. We are also trying to coordinate with the City and DEQ on the dust issue.

## The Path Forward

### *Restructuring*

MLRR is undertaking a program review to look for improvements in structure, workflow and priorities. The goal is increased efficiency, consistency, transparency and balance between work and revenue.

We held an all-day staff retreat in January in which we examined our authority and obligations, goals and objectives, and processes, tools and resources. We identified the following areas that needed improvement, listed here in order of importance:

- Record Keeping/Database
- Written policy and procedures
- Distribution of workload
- Prioritization of workload
- Tools for consistency
- Adequate staff and funding
- Process for follow-up
- Sequencing of tasks
- Accurate and complete site information
- Field presence
- Team integration
- External permitting conflicts
- Decision making and implementation
- Quality assurance

A unifying theme in many of these issues is the need for a structured workflow, and clear division of responsibilities. After this meeting each staff member was asked to use this information as a basis for defining a new structure and new positions. Staff collaborated on a single vision, which was discussed in depth at a subsequent meeting. The proposed structure would create new specialist positions for aggregate permitting, oil and gas, geothermal, non-aggregate and exploration permitting, compliance, and bonding and closure, while retaining the oil and gas, geothermal, floodplain and groundwater specialties.

Staff have also created detailed lists of their current responsibilities and the amount of time devoted to each. A future day-long meeting is planned to design new workflows and distribute tasks among the newly defined positions, and prioritize responsibilities. Our hope is to be ready to work with HR at the beginning of next biennium to formalize the new structure with revised position descriptions and classifications.

Another major part of this effort is the collection of detailed information about how we spend our money, so that we can prioritize our work and support future efforts to set fees. MLRR staff are now tracking their time in detail, in some cases to the individual site or permit, to provide good cost information to go with our detailed revenue tracking.

#### *Bonding*

DOGAMI bonding calculation methods are old, fairly simple, and based on cost factors that are decades old. We have begun discussion with the Construction Management program at the OSU Civil Engineering department about a collaboration to develop a new calculation system with up to date, Oregon-specific costs. We have also decided that we will no longer accept cash as security.

#### *Rule Making*

We are intending to undertake a major rule writing effort starting in late 2017 in order to implement recent statutory changes, and to clean up long standing issues with inconsistent or outdated rules. We are negotiating a contract with Larry Knudsen, retired DOGAMI AAG, to do a comprehensive review of our rules. We are also working with the Hatfield School of Government at PSU to see if we can hire one of their Hatfield Fellows to supervise the rule making process.

#### *Interim Policies*

We have many instances where we keep encountering the same issue for which rules or statutes do not provide clear guidance. In these cases, in order to promote consistency and transparency, we intend to publish these policy decisions along with the legal justification, on our website. Ideally, the planned rule writing will address these issues for the long term. The Board may wish to review and approve these interim policies. Examples of policies that we would like to publish cover mining small areas adjacent to an area with a grant of Limited Exemption, specific and limited requirements for assessment of cultural impacts, and solutions to the issue of sequencing multi-agency permitting at floodplain sites with endangered species concerns.

#### *Database and records and documents management*

Currently, MLRR's records are almost entirely paper, and both the platform, structure and content of our database is inadequate. Following on our restructuring, we will be developing a plan for development of a new database and records management system, with the intention of having a proposal ready for the 2019-2021 budget.

# Staff Report and Memorandum

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

From: Ali Hansen, Communications Director

Date: April 10, 2017

**Regarding: Agenda Item 7 - Tsunami Line Public Engagement Plan Update**

Communications Director Ali Hansen will be providing the DOGAMI Tsunami Line Public Engagement Plan Update.

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

**Tsunami Regulatory Line Engagement Update**  
*DOGAMI Governing Board Meeting, April 17, 2017*

**Engagement To-Date**

**December 2016-January 2017:** State agency conversations: Department of Land Conservation and Development, Office of Emergency Management, Parks and Recreation Department, Building Codes Division, Business Oregon. *Attending: DOGAMI staff, Resilience Officer.*

**January-February 2017:** Coastal legislator conversations. *Attending: DOGAMI staff, Resilience Officer.*

**February 2017:** Governor Brown meeting. *Attending: Governing Board Chair, DOGAMI staff, Resilience Officer.*

**February 2017:** Coastal Caucus meeting. *Attending: DOGAMI staff, Resilience Officer.*

**March 2017:** Coastal Caucus meeting. *Attending: Governing Board Chair, DOGAMI staff, Resilience Officer.*

**What Have We Learned?**

**Coastal Caucus Conversations**

*Concerns with the tsunami line as a regulatory tool*

- Regulation at state level takes decisions on siting critical facilities out of the hands of communities
- Opinions were expressed that DOGAMI best serves coastal communities by providing scientific information to support local decisions, rather than being in a regulatory role
- There was support for DOGAMI to reach out to local communities and enhance relationships around the need of the communities and where DOGAMI can be of assistance

*Concerns and comments with the engagement process/potential change*

- The potential change comes at a time when coastal communities are experiencing regulatory fatigue
- Significant potential for misunderstanding of the regulatory line and misunderstanding on effects to economic development
- If the process continues, Legislators want to be involved throughout the process
  - o Prefer that engagement process take place when the legislature is not in session
- More low-key information gathering would be helpful before formally engaging communities on a potential change

**State Agency Conversations**

*Adoption of ASCE tsunami design zone into state building code*

Unknowns exist:

- Potential to greatly change the regulatory landscape
- Potential for overlapping, conflicting regulation – unclear how the two regulatory schemes will work together
- Adoption into the state building code may occur sooner than previously understood – as early as October 2018
  - o Process may be parallel to tsunami regulatory line process
  - o Unclear how the tsunami regulatory line may fit into that separate decision making process

*Relationship of tsunami regulatory line to other state/community efforts*

Unknowns exist:

- How does an update to the line fit into planning, development efforts – what are the needs for an updated regulatory line?
- What else is being asked of coastal communities related to development and tsunami hazard?

# Staff Report and Memorandum

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

From: Brad Avy, Director & State Geologist

Date: April 10, 2017

**Regarding: Agenda Item 8 – Legislative Progress Report/Budget Hearing**

Director Avy will provide an update on the Legislative Progress Report/Budget Hearing.

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

# Staff Report and Memorandum

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

From: Brad Avy, Director & State Geologist

Date: April 10, 2017

**Regarding: Agenda Item 9 – Director’s Report**

Director Avy will deliver his report on the following topics:

- 1) Leadership Development Update
- 2) Secretary of State Performance Audit
- 3) Calico Update
- 4) Mist Gas Field Lease Update
- 5) Portland Office Facilities
- 6) Staff Recognition

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



# Staff Report and Memorandum

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

From: Bill Burns, Natural Hazards Supervisor

Date: April 10, 2017

**Regarding: Agenda Item 10 – GS&S Update**

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

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

# Staff Report and Memorandum

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

From: Brad Avy, Director & State Geologist

Date: April 10, 2017

**Regarding: Agenda Item 11 – Governing Board Briefing Book 2017**

Director Avy will introduce the Governing Board Briefing Book.

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

# Staff Report and Memorandum

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

From: Holly Mercer, Policy Assistant

Date: April 10, 2017

**Regarding: Agenda Item 12 – Governing Board Bylaws**

Policy Assistant Holly Mercer will introduce the Governing Board Bylaws.

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

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## ARTICLE I – PURPOSE AND AUTHORITY

### Section 1: General Purpose

The Department of Geology and Mineral Industries (DOGAMI) is administered by a governing board (Board) composed of five citizens of Oregon appointed by the Governor. The purpose of these bylaws is to provide guidelines regarding the Board's actions, procedures, and organization.

### Section 2: Mission

The Oregon Department of Geology and Mineral Industries (DOGAMI) provides earth science information and regulation to make Oregon safe and prosperous.

### Section 3: Vision

DOGAMI envisions an Oregon where people and places are prepared for natural hazards; where decisions for Oregon's future always consider natural hazards; where resource potential is fully understood and responsibly developed; where earth science contributes to the health of our coast, rivers, forests, and other ecosystems; and where geologic learning and discovery abound.

### Section 4: Goals

- Earth Science – Acquire and organize complete and current descriptions of Oregon's geology, landforms, and geo-processes to assess resources and natural hazards, to support healthy ecosystems, and to guide safe and prudent rural and urban development.
- Natural Hazards – Create and compile comprehensive assessments of natural hazards and community vulnerability, and promote risk reduction strategies to build resilient communities.
- Resource Management – Administer effective and balanced regulation of mineral, oil and gas, and geothermal energy development to support the environment, economy, and people of Oregon.
- Governance and Operations – Provide leadership, develop partnerships, and maintain professional standards to optimize operations to achieve the Agency's mission.
- Education and Outreach – Provide earth science, resource management, and natural hazards information to support decisions and solutions on individual, local, regional, and statewide levels.

### Section 5: Authority

The Board is authorized by Oregon Revised Statutes 516.080 – 516.090 to:

- Direct and review the performance of the State Geologist and the State Department of Geology and Mineral Industries in carrying out its duties and responsibilities pursuant to this chapter and ORS chapters 517, 520, and 522.
- Carry out the policies set forth in this chapter and ORS chapters 517, 520 and 522.

- Establish policies and approve plans that lead to an understanding of geology and mineral resources of the state, geologic processes and hazards and scientific, economic and tourism issues relating to geology and mineral industries.
- At the discretion of the board, accept from the United States or any of its agencies such funds as may be made available to this state for any of the purposes contemplated by this chapter, and shall enter into such contracts and agreements with the United States or any of its agencies or with Oregon or any of its agencies as may be necessary, proper and convenient, and not contrary to the laws of this state.
- Review and approve budget requests of the department.
- In accordance with applicable provisions of ORS chapter 183, adopt rules establishing criteria and procedures by which the department may enter into contracts or agreements pursuant to ORS 516.035(6), including but not limited to criteria and procedures that ensure protection of the public interest and advance the duties of the department as described in ORS 516.030.
- The Board may, in accordance with applicable provisions of ORS chapter 183,
  - adopt rules necessary for the administration of the laws that the board is charged with administering
  - receive on behalf of this state, for the use and benefit of the department, gifts, devises and legacies of real or other property, and use them in accordance with the wishes of the donors, or, in the absence of specific instructions by the donors, manage, use and dispose of the gifts and legacies as may be deemed by the board for the best interest of the state.

## **ARTICLE II – BOARD MEMBERS**

### Section 1: Composition of the Board

- The Board consists of five citizens of Oregon.
- The Board members shall, to the greatest extent possible, represent all geographic regions of the state.

### Section 2: Appointment of Members

Board members are appointed by the Governor subject to approval by the Senate in the manner provided in ORS 171.562 and 171.565.

### Section 3: Length of Term

- Board members serve at the pleasure Governor
- The term of office for each board member is four years.
- A board member may be reappointed by the Governor.

#### Section 4: Vacancies

- Before the expiration of the term of a member, the Governor shall appoint a successor.
- The term of a board member shall continue until a successor has been appointed and confirmed.
- For a vacancy for any cause, the Governor shall immediately appoint a person to fill the office for the unexpired term.

#### Section 5: Compensation

Each member of the board is entitled to compensation and expenses as provided in ORS 292.495.

#### Section 6: Voting Privileges

Each board member shall be entitled to one vote on all issues presented at meetings at which the board member is present or participating by video or phone conference.

#### Section 7: Government Ethics

All board members must adhere to the Oregon Code of Ethics set forth in ORS 244.050 prohibiting public officials from:

- Using their position to obtain financial gain for themselves, members of their household, or any other business with which they or members of their household are associated;
- Using confidential information received in their position for private gain;
- Soliciting or receiving a promise of future employment for official action;
- Offering, soliciting or receiving, during a calendar year, gifts totaling over \$50.00 in value, from any source with a possible interest in the public official's governmental agency

### **ARTICLE III - OFFICERS**

#### Section 1: Designation

During the last meeting of the calendar year, the board will vote to select a Chair and a Vice-Chair.

#### Section 2: Officers Term of Service

The Chair and Vice-Chair shall serve for a term of one calendar year. If the Chair or Vice Chair permanently vacate their position for any reason, the board will vote to select a replacement to serve the remainder of the term.

#### Section 3: Duties of the Chair

- Preside over all regular and special meetings of the Board.

- Collaborate with State Geologist/Director and staff to determine agenda items for each meeting.
- Perform such duties as are assigned by the Board, as well as those customarily delegated to the office of the Chair.

#### Section 4: Duties of the Vice-Chair

In the absence of the Chair or in the event of the Chair's temporary inability to act, the Vice- Chair shall perform the duties of the Chair.

### **ARTICLE IV – COMMITTEES**

#### Section 1: Appointment of Committee

The Chair or Vice-Chair shall be authorized to appoint committees to assist the Board in carrying out its duties.

#### Section 2: Conduct of Meetings

The Committee may be required to conduct its meetings under the Oregon Public Meetings Law.

### **ARTICLE V - MEETINGS**

#### Section 1: Conduct of Meetings

- Meetings of the Board are subject to the Oregon Public Meetings Law.
- The Board will conduct its business through discussion, consensus building and informal meeting procedures.
- Meetings shall be conducted pursuant to Robert's Rules of Order which shall govern any questions of parliamentary process unless the rules are in direct conflict with these bylaws.
- The Chair may, from time to time, establish specific procedural rules of order to assure the orderly, timely and fair conduct of business. The Chair may refer to the most recent edition of Robert's Rules of Order for guidance.

#### Section 2: Types of Meetings

- The Board shall hold meetings four times each year.
- Special or emergency meetings may be called by the Chair or by a majority of the Board.
- Notice for a regular meeting must be reasonably calculated to give actual notice of the time and place for the meeting
- Notice for a special meeting requires at least 24 hours' notice. An "emergency meeting" is a special meeting called on less than 24 hours' notice.



### Section 3: Executive Sessions

The Board may hold an executive session during any regular, special or emergency meeting pursuant to the provisions of the Oregon Public Meetings Law.

### Section 4: Quorum

A majority of the members of the Board constitutes a quorum for the transaction of business. Because the Board consists of five members the minimum number of members that must be present to form a quorum is three.

### Section 5: Attendance

- Attendance at board meetings is mandatory for Board members
- The Chair will contact a Board member who misses two unexcused consecutive meetings concerning their intention to continue to serve on the Board.
- The Chair will report back to the full Board at its next meeting.

## **ARTICLE VI - AMENDMENTS.**

- The procedure for amending the bylaws will consist of formal notification to all members of the Board with inclusion of the full text of the proposed changes under consideration.
- The Board may amend these bylaws by a majority vote of the Board members at a duly convened meeting.

## **ARTICLE VII – ADOPTION**

These bylaws shall become effective upon a majority vote of the Board members at a duly convened meeting.

# Staff Report and Memorandum

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

From: Lisa Phipps, Governing Board Chair

Date: April 10, 2017

**Regarding: Agenda Item 15 – Annual Director Review**

The Board will take action on the Director's Annual Review.

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

# Staff Report and Memorandum

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

From: Lisa Phipps, Governing Board Chair

Date: April 10, 2017

**Regarding: Agenda Item 17 – Confirm Time and Date for next meeting**

Currently the next DOGAMI Board meeting is scheduled for Friday, June 23, 2017.

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