

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

February 27, 2015
8:30 a.m.

Portland State Office Building
800 NE Oregon St., Ste. 965, Portland

- 1) **Call to Order:** (Larry Givens, Board Chair)
Chair Givens called the meeting to order at 8:35 a.m.

- 2) **Introductions:** (Larry Givens, Board Chair and staff)
Board Chair Larry Givens, Vice Chair Lisa Phipps (attending by phone), and Board Members Dennis Luke and Laura Maffei were present.

DOGAMI Staff in attendance:

Vicki S. McConnell, State Geologist
Andree Pollock, Assistant Director for Geologic Survey & Services Program
Richard Riggs, Assistant Director for the Mineral Land Regulation & Reclamation Program
Ian Madin, Chief Scientist
Derrick Moten, Chief Financial Officer
Bob Houston, Energy Resources Geologist
Ali Ryan, Earth Science Information Officer
Larry Knudsen, Assistant Attorney General, DOJ

Others:

Richard Whitman, Governor's Office
Lauri Aunan, Governor's Office
Enrique Sama, Department of Administrative Services
Rich Angstrom, Oregon Concrete Producers Association
Eric Martin, Stoel Rives

1) **3) Approval of Minutes of January 5, 2015 Portland OR Meeting and January 29, 2015**

2) **Teleconference Meeting:** (Board) *Action Item*

3) **Motion: Luke moved to approve the minutes. Maffei seconded. Motion carried.**

4)
5) McConnell reviewed the action items from the Jan. 5 and Jan. 29 meetings and said
6) all have been completed. She has one addition to today's agenda, which is adding a
7) legislative update as "item e" under State of the Agency. Givens asks for a motion to
8) approve the revised agenda with one additional item.

9) **Motion: Luke moved to approve the minutes. Maffei seconded. Motion carried.**

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4) Board Business:

a. Update on Board member nominations: *Information Item*

McConnell said that all board and commission appointees are on hold, pending a review by Governor Brown. Lauri Aunan said the Senate will be putting together a new timeline for confirming appointees, with the goal of ensuring the list that goes forward has been approved by the new Governor.

b. Farewell to State Geologist McConnell: *Information Item*

Chair Givens noted that Dr. Vicki McConnell has a once-in-a-lifetime opportunity to lead the Geological Society of America. On behalf of the board, Givens presented McConnell with a plaque in recognition of her time at DOGAMI and all she accomplished with the Agency. Rich Angstrom, executive director of the Oregon Concrete Producers Association, presented McConnell with an OCAPA Lifetime Achievement Award. Bob Houston spoke on behalf of the Mineral Land Reclamation and Regulation program staff, and especially noted the time McConnell makes for all her staff. Richard Whitman, Governor's Natural Resource Agency Policy Advisor, said that McConnell has created a strong foundation for the Agency and is leaving it in good hands, and also noted that her ability to speak her mind will be missed in the natural resource agency head meetings. Whitman presented McConnell with an Oregon landscape photo signed by the natural resource agency heads. Ian Madin said that working with McConnell has been one of the most rewarding parts of his professional career, noting her open-mindedness, and the tremendous amount of respect everyone she interacts with has for her. McConnell thanked everyone, and noted that the GSA position "gives me the opportunity to have two lifetime careers. I consider what I'm doing now the career of a lifetime."

c. Revision to the Governing Board Delegation Log: *Action Item*

The Governing Board has certain statutory responsibilities that have been delegated to the State Geologist. The revision reflects that the interim State Geologist will now have those delegated responsibilities.

Motion: Luke moves to sign the revised delegation log. Maffei seconds. Motion carried.

5) State Geologist Recruitment: (Board, Enrique Sama DAS; Larry Knudsen DOJ)

a. Review of recruitment materials for State Geologist/DOGAMI Director: *Information Item.*

Board members discussed the draft recruitment materials and other considerations, including:

- Timing of recruitment: Richard Whitman suggested aligning the recruitment timeline with the timeline for the review of Agency operations and structure, with at least one meeting of the review work group to happen before the recruitment begins, so information from the review work group will be available for recruiting purposes. That would likely mean starting the

55 recruitment in May at the earliest; he suggests starting in June. He noted it's
56 important to balance the desire to fill the position with the other process
57 that's happening. Board members noted that they want to ensure a good,
58 informed recruitment process, and given all the different processes - Agency
59 review, budget, legislation, leadership changes - occurring now, they support
60 starting recruitment in June. Sama noted that from his perspective, the
61 sooner the recruitment can begin, and close, the stronger the candidate pool
62 will be. The Governor's Natural Resources Office will work with DAS to draft a
63 revised timeline.

- 64 • Candidate qualifications: The Board discussed the draft preferred attributes,
65 including the level of education desired, and how to best state desired level
66 of education in various recruitment materials, and how best to state that
67 candidates should be or able to become a Registered Geologist ore Certified
68 Engineering Geologist in Oregon. McConnell noted that these are not
69 minimum requirements, which are set forth elsewhere, but priority
70 requirements that state the skill sets, talents and experiences that an ideal
71 candidate will have.
- 72 • Additional Governing Board meetings: The Board will plan to meet more
73 often in order to accomplish recruitment tasks and address other items
74 related to the Agency review and legislative session.

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76 **b. Public testimony regarding State Geologist recruitment:** (three
77 minutes limit per person unless otherwise specified at the meeting by
78 the Chair)

- 79 • Rich Angstrom, Oregon Concrete Producers Association: Angstrom said that
80 the first priority from the industry perspective is to protect the integrity of
81 DOGAMI as an independent Agency. When it comes to recruiting, it will be
82 important that the budget, fee structure, Agency structure is established, or
83 that the path forward is clear, in order to attract the best candidates. He also
84 asked the board to consider the talents and skills of existing staff in thinking
85 about strengths the new State Geologist should have. Finally, he said that
86 OCAPA is in the process of expanding focus to include hard rock mining, and
87 would expect more engagement around those opportunities in the future.
88 Givens asked if Angstrom would like to see management of a regulatory
89 program as one of the preferred attributes; Angstrom would.
- 90 • Oregon Board of Geologist Examiners: McConnell noted that the OSBGE has
91 submitted written comment, with the recommendation that candidates are
92 required to either be Registered Geologists or obtain certification within one
93 year.
- 94 • Vicki Jorgensen, Human Resources: Jorgensen noted that creating a process
95 that has integrity, and that recognizes and avoids any potential ethical issues,
96 is important.

98 c. **Board action on State Geologist recruitment materials, if any:**

99 *Action Item.*

100 Board members discussed recruitment materials further, and determined that
101 having more information on the skills of existing management staff would be
102 helpful, and that the recruitment language and any offer should make clear that it is
103 the expectation of the Board that a successful candidate would be or become
104 registered in Oregon. The amended language would be, to be a Registered Geologist
105 or Certified Engineering Geologist in Oregon or another state with a requirement to
106 become registered within one year.

107 **Motion: Maffei moves to adopt the selection criteria amended as recommended**
108 **under preferred attributes; Phipps seconded. Motion carried.**

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110 6) **Break**

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112 7) **Regulatory Issues:** (Richard Riggs, Mineral Land Regulation and Reclamation
113 Program)

114 a. **Introduction of Richard Riggs.**

115 McConnell introduced Richard Riggs, attending his first Governing Board meeting as
116 the new assistant director of the MLRR program. Riggs gave the board an overview
117 of his educational and professional background.

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119 b. **Status of rulemaking for aggregate, oil and gas, and geothermal**
120 **laws: *Update Item***

121 Bob Houston, energy resource geologist, gave an update noting that the
122 amendments for the clean fill rule have been filed and a standard operating
123 procedure developed. Next steps are training technical staff on how to implement
124 the rule and finalizing an MOA/MOU with DEQ so that the roles of both agencies are
125 clear. McConnell noted that rule writing related to HB 2202, pertaining to extraction
126 of gravel deposits under high-value soils, is on hold but staff will be working to set
127 up a rule writing advisory committee and hopefully have that completed by fall. No
128 permit applications or amendments that would trigger those rules have been
129 received.

130
131 c. **Summary of operational and enforcement activities for surface**
132 **mining and oil and gas and geothermal regulatory programs: *Update***
133 ***item***

134 Houston updated the board on several items, including:

- 135 • Permit numbers: Numbers are steady.
- 136 • Agency operations: Progress is being made on office manager and permit
137 coordinator positions.
- 138 • Calico project: Calico is continuing to gather baseline data and submit as it is
139 completed. The project leadership team is evaluating the social and
140 economic analysis. A request for proposals is underway for geochemistry and
141 technical advice. A coordination meeting has been scheduled between Calico

142 and the new executive team; that will take place in mid-March on site,
143 McConnell said.
144 • Oil, gas and geothermal: No current enforcement actions, Houston said, and
145 no change in activity levels since the last meeting.
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147 **8) State of the Agency:** (Vicki S. McConnell, State Geologist)

148 a. **Update of Agency activity by State Geologist:** *Update Item*

149 McConnell presented a memo of highlights since the last update. She noted a few
150 items, including:

- 151 • DOGAMI has been notified of full funding for the national 3D Elevation
152 Program, which is a new way USGS is partnering with states on lidar
153 collection. Kudos to Ian Madin, Jacob Edwards, and the lidar team.
- 154 • The DOGAMI All-Staff Meeting on January 22 looked at approaches to the
155 organizational structure and business model, and was a very productive
156 discussion. That discussion has been summarized and will be put before the
157 review work group.
158

159 b. **Governor's Recommended Budget for DOGAMI/Ways and Means**
160 **Subcommittee on Natural Resources budget testimony:** *Update Item*

161 McConnell presented to the Ways and Means Subcommittee on Natural Resources
162 on February 9, with a follow-up on February 10 that included public testimony. She
163 notes the budget framework released by the Ways and Means co-chairs was not
164 inclined toward a one-year budget, but did support a look at the Agency's
165 foundational issues and structure. The Governor's Natural Resource Office was
166 amenable to a two-year budget, but a budget note would direct a review of
167 operations. Aunan is the lead on the budget note, and has been working with a small
168 group to draft the note, which will be presented to the co-chairs of the
169 subcommittee for consideration. McConnell also noted that the lidar investment and
170 some natural hazard policy option packages are being considered.
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172 c. **Status of DOGAMI Business Practices Review and Planning Process:**
173 *Update Item*

174 The direction has changed slightly from the original idea, which was to develop a
175 work group now to begin the process of looking at long-term Agency stability and
176 support for essential functions. Direction now is to develop a budget note that
177 outlines the need for the process, and then have a work group directed by the
178 Legislature to dig into the issues before the next two-year budget cycle. The idea is
179 to look at business processes, shared service models, fee structures and costs, other
180 fee and revenue opportunities, and have the end result inform the 2016 Legislative
181 Session. Givens noted that the Board had previously discussed how to communicate
182 about the change that's happening, and keep staff informed. McConnell said thus far
183 the Agency has engaged staff by asking for suggestions on work group participants,
184 and she has also committed to a regular weekly update on the process.
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195 Agency or would have some impact on the Agency. The Agency is neutral on all bills
196 unless directed otherwise by the Governor's Office.

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198 **9) Set Time and Date for next meeting: (Board)**

199 April 3 (teleconference) and May 8 are tentative next meeting dates.

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201 **10) Additional Public Comment**

202 There was no additional public comment.

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204 **11) Board Adjourns**

205 Chair Givens adjourned the meeting at 12:14 p.m.

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208 **Action Items:**

209 1. DAS and GNRO will collaborate on revising draft recruitment timeline.

210 2. DAS will amend language in recruitment materials as directed.

211 3. Interim State Geologist will consult with Governing Board members to
212 determine times for next meetings.

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217 APPROVED:

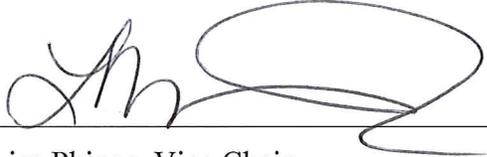
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Larry Givens, Chair



Lisa Phipps, Vice Chair

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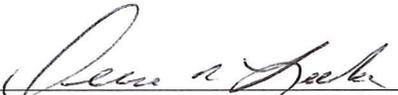
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Laura Maffei



Dennis Luke