Call to Order:
Chair Donald Haagensen called the meeting to order at 8:00 am.

Introductions:
Board Chair Donald Haagensen, Vice Chair Steve Macnab, Board Members Vera Simonton, Barbara Seymour, and Charles Vars were present. Assistant Attorney General Larry Knudsen was present, as were DOGAMI staff members Director Vicki McConnell, Assistant Director Don Lewis, Assistant Director Gary Lynch, Field Geologist Mark Ferns, and Administrative Assistant Carol DuVernois.

In the audience were:
James Roddey, DOGAMI Earth Sciences Information Officer
Larry Givens, Umatilla County Commissioner
Judge Terry Tallman, Morrow County Commissioner
Sam Nobles, Critical Ground Water Task Force, Umatilla County

Welcome to new Board Member Charles Vars

Approval of Governing Board Minutes for February 6, 2007: Action Item
Charles Vars noted that the dates on lines 223 and 224 were incorrect.

Motion: Steve Macnab moved to approve the minutes with an amendment to lines 223 and 224. Vera Simonton seconded the motion. Motion carried.

Seismic Needs Assessment of Public Schools and Emergency Facilities Project Update: Information Item
We are preparing to report our findings regarding the seismic vulnerability of public schools and emergency facilities to the legislature and make the database and report available to the public. Lewis summarized the final work and data analysis and reviewed the project timeline with a PowerPoint presentation. The agency is in the process of giving preliminary briefings to the Department of Education and the Governor’s Office. The report will be presented to the Joint Committee on Emergency Preparedness and Ocean Policy on Tuesday, May 22 at 3:00 in Hearing Room C. The agency is recommending that there be a press conference immediately following the presentation to discuss the results.

The preliminary draft report is being compiled by Lewis, and will be reviewed by others over the next couple of weeks. McConnell pointed out that
we were tasked by the legislature to do this assessment (SB 2, 2005). Senate Bill 3, 2005 authorizes the Office of Emergency Management to administer and create this seismic needs grant committee, which has not yet been formed. That committee will design the grant program and would ask for bonds to be let. They will be developing the grant program from scratch. Both the Senate President’s office and the Governor’s Office are very interested in this, so we are hopeful that there will be a good unified message from them that will let interested parties know that the program will be developed. There will be some lag time between the release of the report and when the committee will be formed.

Macnab wondered if DOGAMI will be the lead agency for fielding questions about the report. McConnell said we are developing a public relations strategy with guidance from the Governor’s Office on how to design the unified message. McConnell noted that the agency is under constraints, in that we don’t want anyone getting the information before anyone else, and want to be fair across the board and not feel like we are leaking information.

McConnell asked for a volunteer reviewer from the Board, who is also willing to attend the hearing on the 22nd. Haagensen volunteered to both review the report and attend the committee hearing.

Commissioner Tallman wanted to know if there will be a tie in with the county and city level of emergency management, in light of the fact that Morrow County is in the process of finishing a natural disaster hazardous mitigation plan, coordinated with FEMA and the University of Oregon. McConnell said that at a county and school district level, you can identify actions to mitigate risks, and counties will be able to use the information from the seismic needs assessment to help identify risks and thus improve their emergency preparedness and response.

(5) **DOGAMI’s Role in Groundwater Issues in Oregon:** (Mark Ferns, Eastern Oregon Regional Geologist): *Information Item*

Presentation on Geologic Basin Studies around Oregon – DOGAMI staff have developed several geologic maps with the focus on improving knowledge of groundwater availability and sustainability in watershed basins around the state. Ferns presented an overview of major studies, showing that each of the watershed basins in the state is unique.

Sam Nobles commented that of about 300 wells in his basin, he can only use about 20% of them. Ferns said this is not uncommon.

McConnell noted that this presentation was a training exercise for the Board.

(6) **Break**

(7) **Invited Guest Presentation:**

a. **Morrow County Highlights** (Judge Tallman, Morrow County Commissioner): *Information item*

Judge Tallman showed some of the economic and tourism highlights of Morrow County, including the County Courthouse, Big Horn Sheep, the Marina, and the new 6200 acre park in Morrow County.
(8) Report of the State Geologist: (Vicki McConnell, State Geologist)
a. State of the Agency: Information Item

Primary project grants and/or grant approvals:

- We finally received our StateMap 2007 grant award of $220,834. This represents 74% of our grant request. We ranked 11th in states total awards behind AK, CA, CO, ID, IL, KY, NM, SC, UT, and WA. Note the program continues to be under funded and over requested.
- The NANOOS pre-proposal to NOAA for funds to continue the program and that include increasing shoreline monitoring over the next 3 years was approved and NANOOS has submitted a full grant proposal for funding.
- We continue discussion with USGS and NEHRP to extend the Portland Earthquake Hazards Mapping project for another 5 years.

Primary projects milestones:

- Wrapping up Pre-Disaster Mitigation planning work with Morrow and Umatilla Counties. Our contributions included assistance with hazard mapping and conducting a seismic risk analysis. We congratulate the counties for their proactive hazard planning and they were a pleasure to work with including submitting support letters for the Agency during the Ways and Means subcommittee hearings.
- Our LIDAR contractor has collected approximately one-half of the 2100 square miles of LIDAR data scheduled for this year.
- We have closed out the Klamath Basin Compilation project with a deliverable.
- We have closed out the PSU Pre-Disaster Mitigation building grant. Final grant totaled $3.789 million, our part was $175,500.

Other:

- Testifying at Joint Committee on Emergency Preparedness and Ocean Policy – McConnell
- Testifying at House Committee on Agriculture and Natural Resources – McConnell and Lynch
- Testifying at the Senate Committee on Energy and the Environment - Lynch
- Landslide Symposium held April 26th to a record crowd of approximately 120 participants.
- Agency has adopted a new Affirmative Action Plan.
- GS&S staff met with USGS, Washington State Survey, Idaho State Survey, and PSU Geology staff to discuss how to implement a regional-wide web-based interactive geologic map. The demo project is going forward with USGS and WA funds, data from the three states, and the open source software that we use for our interactive geologic map.
- McConnell participated in the Northwest Earth Hazards Initiative Workshop sponsored by University of Washington and USGS, April 26 and 27.

Publications and Databases completed or near completion:

Geothermal Cascadia almost out the door.
Agency Synergy
MLRR reclamationists can now overlay landslide hazard maps on aggregate sites. New sites are automatically evaluated for landslide hazard as per our publications. We are still catching up on existing sites.

Congressional Bills tracked:
Reauthorization of National Cooperative Geologic Mapping Program (StateMap) – Has been reintroduced and no movement.
Ice Aged Floods Bills have been reintroduced.
Two bills have been introduced to task USGS with assessing the geological storage capacity for CO2. Committee hearings on the Senate side in the Committee on Energy and Natural Resource have taken place.

Natural Resource Policy Issues Briefing
- OWRD Oregon Water Supply and Conservation Initiative has been passed through the OWRD budget.
- Renewable Energy Initiative and geothermal – Governor’s renewable energy legislations are doing well including the Renewable Energy Portfolio Standard.
- Aggregate resource economics and drivers white paper is still being revised by GNRO staff
- DOGAMI management is scheduled to brief the Governor’s Chiefs of Staff on the Seismic Need Assessment Report on May 3rd.

b. Agency Strategic Plan draft timeline and process: Action Item
McConnell thanked Steve Macnab for his research on this process.

The Agency’s present Strategic Plan expires in 2009. At the February 2007 Governing Board meeting the State Geologist suggested that the Board and the Agency should start now to devise the new plan or revise the existing plan. The Board made several excellent suggestions as to how the process should occur and what their role would be. Since that meeting the Agency management and section leaders have discussed options for beginning the process for the new strategic plan.

Staff recommends that the following actions should be approved and acted upon:
1. Governing Board select 2 members of the Board to represent the Board on the Strategic Plan Task Group
2. Schedule a retreat for developing mission and vision concepts. Participants should be agency management, section leaders, and Governing Board representatives. This should occur immediately after the close of the 74th Legislative Assembly. Agency will have internal discussions between now and July 2007.
3. Strategic Plan Task Group would report back to Governing Board at next full meeting for open discussion and prioritization of mission and vision concepts.
4. Strategic Plan Task Group will package the mission and vision concepts in preparation for several town hall meetings for stakeholders and general
public. This should occur in concert with Governing Board meetings and discussions regarding 2009-2011 budget requests.

5. Strategic Plan Task Group revises mission and vision concepts to reflect stakeholder input and reports back to the Governing Board by second meeting in 2008. Specific goals and objectives and projects should be identified by now.

6. Strategic Plan Task Group compiles a draft plan for review, circulates to identified stakeholders, and Governing Board for comments.

7. Governing Board adopts final plan in late 2008 (last Board meeting) for implementation beginning in 2009.

Once the timeline and process has been adopted, the Strategic Plan Task Group will report back to the Board at every meeting. Other interim reports will likely be necessary.

Haagensen wants to ensure that the task group would maximize input back to the other 3 members of the Board. McConnell stressed that the task group’s main job is to take the information and package it in a way that it will be ready for stakeholders and general public, and to draft the final report as well. To that end, James Roddey would be in the group.

McConnell advocates that the retreat occur before the next Board meeting.

Knudsen clarified that anytime 3 or more members of the Board meet that it is covered by the Public Meetings Law and the Executive Session would not apply here. He also noted that any drafts will be public documents, so anything written needs to be sent to Carol DuVernois, instead of to the other members of the Board. She will then pass along information to the Board.

Haagensen suggested that the Board look closely at the draft timeline and make any revisions, either orally or in written form.

Motion: Vars moved to follow staff recommendations in Agenda Item 8b be adopted with refinements as discussed. Seconded by Simonton. Motion carried.

(9) Budget and Legislation Update:

a. Legislative Briefing: Update Item

McConnell passed along regrets from Senator Nelson and Representative Smith, who were both invited to the meeting. Larry Givens also expressed regrets sent by Representative Smith’s wife.

 i. HB 5514 – Agency Budget Bill – passed both houses, Governor’s signature pending (signed 5/7/07). McConnell wanted to note that when the bill got to the House side, the vote was very close, with 31 ayes and
27 nays, with impassioned discussions by Representatives Boquist, Boone, and several others. They were saying that the LIDAR package should not have been taken out of the bill and the agency is continually under funded. So the nay votes were saying that there was not enough money in the budget. McConnell noted the budget is flat from last biennium, with little change in the funding. LIDAR was taken out of the bill, but may be considered at a later date using alternate funding sources. Federal limitation for MLRR went down a little. KPM 4, on how we determine if we are getting our hazards and mitigation information available to the public has been difficult to quantify.

2. SB 149 – MLRR Enforcement Bill. Lynch said that both SB 149 and HB 3188 have changed chambers and are both well on their way to passage.

3. HB 3188 – Oil & Gas Bill. McConnell reminded the Board that they would convene by teleconference upon the passage of this bill to prepare for temporary rule making. Action Item

4. HB 2924 – Seafloor Mapping Act. (Not our bill, but we are involved.) Bathymetry of the territorial sea. We have been tasked to administer this program so we can include what we need for the acceleration of the Tsunami Inundation Mapping program. Completion would take place over 3 summers. Macnab asked if this bill replaces part of the acceleration of the Tsunami Inundation mapping. McConnell said we are tacking our part on to the bathymetry, $1.3 million, covering data collection, some staff, and some tsunami inundation modeling.

5. SB 1038 – Oregon Coast Safe Communities Act. The agency is not supportive of in the way it is now written because there will be a large fiscal impact on the agency, without any appropriations. So this bill will get a courtesy hearing, but we don’t expect it to go anywhere.

6. Other

Seymour asked about HB 2564, mandating that Oregon Water Resources require all water users to measure the amount of water withdrawn or stored. McConnell said that it is a very controversial bill, there would be a huge fiscal impact for Water Resources, and the bill should be quite different in its final form.

Motion: Seymour moved that the Board authorize the agency staff to begin the process of temporary rulemaking for HB 3188, specifically focused on the fee provisions, which will be considered and adopted during a teleconference meeting. Vars seconded the motion. Motion Carried.

(10) Regulatory Issues: Update Item

Lynch summarized operational and enforcement activities for surface mining and oil and gas regulatory programs. The Governor’s Office is preparing a white paper in a macro level analysis of aggregate production, in the context of
how you balance a long term affordable supply of aggregate with farm land and
infrastructure issues, as well as fish issues. It will address the issue of how to
supply aggregate in an economically, socially, and environmentally acceptable
way. A draft will be delivered this week to federal agencies. We will distribute
that to the Board when we get it.

The Agency wants to propose doing a white paper specifically on the
Applegate region, led by Frank Schnitzer.

Lynch believes we may be seeing record levels of aggregate production
for the state this year.

McConnell noted that we have had our first geothermal well application in
quite some time.

**Board Business**

a. Governing Board Briefing Book update: **Update Item**
We have updated the Briefing Book for the Board Members. Haagensen asked if
we included the summary he put together regarding our statutory authority.
McConnell said we would send that out to the Board. She also noted that new
Board members are required to attend the Governor’s training on Boards and
Commissions. We will also make arrangements to give Mr. Vars an agency
orientation.

b. Adoption of Governing Board Performance Measures: **Action Item**
McConnell reminded the Board of the workshops and discussions they have had
on this topic and briefed them on the Best Practices Criteria, the Performance
Measures, and what the revised draft process would be for measuring the
Board’s performance based on the input from the Board. Staff recommends that
the Board adopt the draft process as the Performance Criteria and Measurement,
one part specifically for the Performance Measures 1 & 2, A Standardized
Process for Director Recruitment. McConnell summarized the process in an
outline for any future recruitment, which she also suggests be adopted.
Macnab suggested that the Board amend PM 11 to read “Board delegates
contract approval authority [obligations] to Agency Director & Agency Director
reports on contracts and projects to Board.”

c. Ratify Existing Authorities to State Geologist: **Action Item**
McConnell asked for 3 actions:

1. Adopt Director Recruitment Plan
Haagensen had one suggestion for the Director Recruitment Plan, in item IV A,
“Appointment Decision” should be amended to say “Appointment Discussion”
and B should say “Appointment Decision and Announcement” since that must be
done in a public meeting.

2. Adopt Best Practices Key Performance Measures
**Motion:** Seymour moved to approve the Best Practices Key Performance
Measures for the Governing Board of the Oregon Department of Geology &
Mineral Industries and the Director Recruitment Plan with amendments as
discussed. Macnab seconded. Motion passed.

3. Ratify Existing Authorities to State Geologist.
According to Knudsen, no formal order is required, and this is more of a housekeeping effort. Macnab and Haagensen suggested making it a formal document. Knudsen will prepare a delegation log and circulate it before a determination is made on this Agenda Item. Motion was postponed to a later date.

d. Adoption of Final Order Sundance Rock Contested Case: **Action Item**

Knudsen first ensured there were no ex parte contacts or conflicts of interest, and to inform Mr. Vars that he should abstain, being unfamiliar with the Order. He then gave background details on the Contested Case. He then asked the Board if they wanted to accept the Proposed Order or make changes to it. DOGAMI recommended they finalize the Proposed Order. Knudsen will then prepare a short document reciting that the Board heard the background at this meeting and decided to accept the Administrative Law Judge’s Proposed Order. There is a possibility that Sundance will choose to challenge the Proposed Order, but the risk is low. Haagensen recommended taking action and not delegating responsibility or leaving the Proposed Order in limbo.

**Motion:** Macnab moved that the Board accept the ALJ’s Proposed Order, dated 11/17/2006. Seymour seconded the motion. No further discussion. Vars abstained. Motion carried.

Knudsen will prepare an Order for the Chair’s signature.

(12) **Setting of time and place of next Board meeting: Action Item**

The next Board meeting will be held in Klamath Falls, on September 4th, 5th and 6th.

(13) **Additional Public Comment:**

Larry Givens and Terry Tallman thanked the Board for having the meeting in their area.

(14) **Adjourn:**

Meeting was adjourned at 12:10 pm.

**Action List: (in no order of priority)**

1. McConnell has spoken with Jim Azuman, Director of the Office of Rural Policy and verbally invited him to the next Governing Board meeting. She will follow-up with a formal written invitation. (Complete, will attend)
2. Strategic Plan retreat: Choose 2 members of the Board and select staff to comprise Task Group. Once HB 3188 passes, decide when to have teleconference about temporary rulemaking and to discuss Strategic Plan (Meeting set for August 3rd, Silverfalls Conference Center)
3. Lynch will Draft temporary rules for HB 3188 prior to the bill’s passage. (no longer applicable)
4. White Paper from the Governor’s Office will be distributed to the Board when we receive it. (Complete)
5. We will send out a summary of the Board’s Statutory Authority to the
   Board members. (Complete)
6. Arrange an agency orientation for Mr. Vars (and Mr. Macnab), and notify
   him of the next training opportunity. (Complete)
7. Board Key Performance data will be submitted to Don Lewis at the next
   Board Meeting. (Worksheet distributed July 30, 2007)
8. Amend PM 11 to read “Board delegates contract approval authority
   [obligations] to Agency Director & Agency Director reports on contracts
   and projects to Board.” (Complete)
9. Knudsen will prepare a Delegation Log, per discussion of Agenda Item
   11c.
10. Simonton’s tenure will expire in October, so the Board will make
    recommendations for recruitment. (Chair & McConnell, in progress)

APPROVED:

______________________________ ________________________________
Don Haagensen, Chair   Steve Macnab, Vice Chair
______________________________ ________________________________
Barbara Seymour    Vera Simonton
______________________________
Charles Vars