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 Wagyi, OCAPA/CALPORTLAND
Todd Baker, Baker Rock Resources

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

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

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

Jeremiah seconded. Motion carried.

4) **Financial Report:**

Kim Riddell, Chief Financial Officer, presented the budget status report as of October 31, 2016.
Riddell stated the Governor’s budget came out on Thursday morning and is favorable for DOGAMI but still needs to be approved through the legislative process.
The packet contained the budget report, the grants/projects list and a Frequently Asked Questions (FAQ) sheet. As of October close, the agency is projected to carry forward a positive balance: GS&S $1.2 million and MLRR $340,000. The MLRR balance is due to current vacant positions not being filled. Riddell said the average monthly cost for MLRR is $120,000 and a 3-month carry-forward balance is preferred for stability. Because Federal Funds are reimbursable [money is spent first], the federal fund balance will always show as negative until the close of the biennium. General Fund will be spent by the end of the biennium. Riddell said she will correct the error in the MLRR indirects line item.

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

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

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

5) Director’s Report:

Director Avy presented the Director’s Report on the following:

Status of Leadership Development Initiative:

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

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

Calico Update:

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

Bob Houston said DOGAMI approved Calico to move forward with 29 holes of a core drilling program. Going forward they are currently reviewing a deep water well program that will drill 5 wells into the
deposit to monitor the ground water and to collect baseline data. Houston said in January DOGAMI is expecting an amended Notice of Intent to expand the project boundary. Ashford asked if DOGAMI monitors the ground water. Houston replied there is a third party hydraulic team that collects data and submits it to the technical review team that is composed of several different natural resource agency leads, primarily Water Resources, DEQ and DOGAMI. Jeremiah asked if the core drilling program and ground water monitoring is applicable to their anticipated expansion. Houston answered the intent is to collect baseline data that will feed into the overall application. Houston stated the expansion is to provide more room for the processing facility.

MLRR Update:

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

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

December Emergency Board:

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

Registered Geologist Requirements Update:

Avy said there was a meeting with DOGAMI registered geologists and OSBCE. There are nuances between private industry and agencies and the Board is looking at providing guidance on how agencies can meet the requirements of statute and regulation. Maffei asked for an example of the
requirements. Avy said mostly it is the stamping and signing of documents and when documents are
no longer considered draft.

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

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

Briefing: **No Board Action Required.**

6) **Public Comment:**

Phipps asked for public comment.

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

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

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

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

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

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

Avy asked Mike Harryman, the State Resilience Officer, to speak to his part in this process. Harryman
said he will attend as many of the meetings along the coast as he can to talk about connecting with
state and local jurisdictions. One of his focuses is on mass care and mass displacement with partner
agencies and NGOs, mainly Department of Human Services, Oregon Food Bank, American Red Cross
and recommendations from the Oregon Seismic Safety Policy Advisory Commission (OSSPAC) that tie
back to the Oregon Resiliency Plan. Harryman said CMS is the overseer of Medicare and Medicaid
and they just updated a rule that requires all medical providers and suppliers that receive Medicare
and/or Medicaid funding to do preparedness planning, training and risk assessments. They have one
year to get ready for this new rule that goes in effect November 2017. Ashford asked for clarification
on the type of facilities. Harryman said they include long-term care centers, ambulatory surgery
centers, urgent care facilities, pharmaceutical world, etc. The Oregon Health Authority signed mutual
aid agreements with three of the five big box stores for doing pharmaceutical emergency
preparedness planning so that communities/counties can then sign in on this and then work directly
with those local pharmacies so when they are cut off or isolated they will have pharmaceutical
support pretty close to their whereabouts. Just think of it as anything to do with the healthcare
industry and there is a Medicare dollar, there will be strings attached now in the world of emergency
preparedness.

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

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

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

8) **Public Comment:**

Phipps asked for public comment.

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

9) **Board Acknowledgement:**

Phipps presented a plaque from the Board to Holly Mercer for her work and efforts to bring the
Agency forward. Maffeii thanked Holly for her work.
The plaque reads: Presented on behalf of the Department of Geology and Mineral Industries and its Governing Board – In recognition of Holly Mercer’s leadership, calm nature, and sense of humor in helping lead the Department through a challenging time.

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

Briefing: **No Board Action Required.**

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

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

11) **Board Adjourn:**

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

**APPROVED**

Lisa Phipps, Chair