1) **Call to Order:**
Chair Larry Givens called the meeting to order at 8:30 am. The Board then went into executive session to discuss the Director’s Performance Review. At 9:15 am the Board returned to open session and welcomed the audience back into the room.

2) **Introductions:**
Board Chair Larry Givens, Vice Chair Douglas MacDougal and Board Members Charles Vars and Lisa Phipps were present. Board member Steve Macnab attended by teleconference.

DOGAMI Staff in attendance:
Vicki McConnell, State Geologist
Gary Lynch, Assistant Director
Don Lewis, Assistant Director
Rachel Lyles, Project Operations Manager
Carol DuVernois, Executive Assistant

Others:
Larry Knudsen, AAG
Art Ayre, DAS BAM
Larry Tuttle, Center for Environmental Equity
Jay Raskin, Ecola Architects
Bill Lascher, freelance writer
Patty Snow, DLCD
Jeff Weber, DLCD

3) **Approval of Minutes of September 13, 2011 Corvallis Meeting:** (Board) **Action Item**

**Motion:** Vars moved and MacDougal seconded motion to approve minutes with one correction. Motion carried.

4) **Board Business:** (Board)
   a. **Completion of Director Performance Evaluation:** **Information Item**
   Chair Givens gave a brief update of the performance evaluation. There was no action required.
   b. **Board to receive copies of DOGAMI 2011-2013 Legislatively Adopted Budget:** **Update Item**
   Board members were given hard copies of the budget. McConnell outlined the budget process, and discussed post-LAB reduction options submitted to Legislative Fiscal Office and DAS Budget and Management. The options are in three increments of 3.5% each and would reflect a total of $269,565 of General Fund cuts to the current budget. These options will be
reviewed and acted upon during the 2012 Legislative Session in February 2012. These cuts would eliminate parts of the agency’s ending balance.

c. Staff requests adoption of OR Administrative Rule 632-001-0020 Contracts for Geoscientific Surveys and Analysis: Action Item

The rulemaking process is complete and the period for comment closed in mid-November with no requests for changes or for a public meeting. McConnell recommended that the Board adopt OAR 632-001-0020.

Motion: MacDougal moved to adopt OAR 632-001-0020. Vars seconded. Motion carried.

With the new Administrative Rule, the Delegation Log was revised to delegate authority to the State Geologist to enter into agreements under ORS 516.035(6).

Motion: Vars moved and Phipps seconded that the Board approve the revised Delegation Log giving the State Geologist the authority to enter into agreements under ORS 516.035(6). Motion carried.

5) State of the Agency: (Vicki S. McConnell, State Geologist)

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

McConnell briefed the Board on recent agency activity, including grants and proposals, completed projects, meetings and conferences, staffing changes, and agency synergy.

McConnell then discussed the agency response to comments submitted at the September Governing Board meeting by Edward Wolf and Jay Raskin. Chair Givens noted that the Japan earthquake was a wakeup call to Oregon Emergency Management, especially as far as resilient infrastructure and business continuity plans. McConnell noted that there are both response and recovery issues. Givens noted that the costs of establishing rules and regulations that protect citizens sometimes meet resistance.

MacDougal believes the outreach on preparedness and mitigation should also extend to other state agencies and the legislature, and there are clear areas where there is a need for attention and funding. Givens would like to encourage more cooperation between agencies rather than the culture of protecting an agency’s turf. McConnell noted that DOGAMI spends a lot of time reaching out to other agencies. We provide technical expertise to many agencies such as OEM, ODOT and DLCD. OWRD will give the Board a briefing on water strategy at our first meeting of 2012. We would also like to invite OEM leadership to a meeting in the near future.


McConnell noted that we are on target for nearly all our Key Performance Measures. We will likely request splitting KPM 1, with is earthquake and tsunami mapping into 2 KPMs allowing us to track them separately. Our KPMs do not measure everything the agency does, such as flood map modernization and lidar data acquisition.

c. Update of Oregon 10 Year Strategic Plan: Information Item
This plan is still in progress and will be presented to the Governor on December 15th. The plan will likely be linked to our budget development.

d. **Agency activity during 2012 Legislative Assembly: Information Item**

We will be requesting limited duration positions and a higher ceiling on our Other Fund expenditure limitation.

6) **Break**

**Report on outreach with OMSI.**

Board Vice-Chair Douglas MacDougal met with representatives from OMSI to see if the agency could put some lidar displays in the OMSI hall. We would like to set up a meeting with them in January.

7) **Regulatory Issues:** (Gary Lynch, Mineral Lands Regulation and Reclamation Program)

a. **Status of rulemaking for aggregate, oil and gas, geothermal laws.**

   The agency and AAG will update Board on geothermal and oil and gas programs rules status: Update Item

   The Board would like to see the pre-rules advisory committee draft of the rules. The Division 20 Geothermal Rules Advisory Committee will meet on January 11th and the Oil & Gas Rules Advisory Committee will meet on January 19th. After the committee is satisfied and revisions are completed, the draft rules will be submitted for Board approval. We may need to schedule a teleconference to get approval.

   HB 3601 is a regulatory streamlining bill that allows DSL and DOGAMI to enter into an agreement that will assign sole permitting responsibility to DOGAMI in instances where mining activity would otherwise be under the jurisdiction of both agencies. We are trying to get a group together to draft a Memorandum of Agreement.

b. **Summary of operational and enforcement activities for surface mining and oil and gas and geothermal regulatory programs:** Update Item

   Harney Rock received an extension from the Administrative Law Judge to complete a land use comprehensive plan amendment that will be heard by Baker County around December 15. Based on approval by the county, Harney Rock will submit a reclamation plan that would reduce slopes to 1½ to 1 H: 1 vertical. The Harney Rock site is approximately 20 miles north of Baker City, near North Powder.

   Coburg Road Quarry is nearly wrapped up. The operators requested approval to conduct and monitor several test blasts at the quarry in an effort to determine the validity of the slope-stability study submitted on behalf of the adjacent landowner. DOGAMI contracted out the technical expertise to review and approve this Test Blasting Evaluation Plan.

   MLRR program staff and geotechnical consultants are evaluating the Sundance Rock request to amend their permit to allow blasting. Sundance Rock is approximately 12 miles southwest of Roseburg and was the site of a mining induced landslide in February 2004.
DOGAMI provided a summary on hydraulic fracturing in Oregon and current proposed activities occurring in New Plymouth, Idaho (approx. 15 miles east of Ontario, Oregon) to the Senate Environment and Natural Resources Committee on November 16, 2011. This presentation was well received. DOGAMI is working with DEQ and our shared AAG (Larry Knudsen) to draft a response to Senator Dingfelder’s question: Does DOGAMI or other natural resource agencies have an opportunity to submit comments to the Idaho Department of State Lands during their hydraulic fracturing permitting process regarding potential impact to an aquifer that may extend across the state line into Oregon?

MacDougal asked if current Division 10 rules cover hydraulic fracturing. Knudsen said they did not. However, if we do need to address the issue, Oregon already has unique ground water protection laws on the books, and hydraulic fracturing rules should be their own division of rules.

c. Update on Division 37 Chemical Process Mine activities: Update Item

The Oregon Energy LLC Aurora project has slowed down due to sage grouse issues, and will not likely be filing a notice of intent any time soon. DOGAMI staff and DOJ are reviewing a draft MOU with Calico Resources at the Grassy Mountain Gold Mine to cover expenses for pre-permitting activities if a Notice of Intent to Apply were to be submitted to the Agency.

Lynch and McConnell attended a Division 37 interagency coordination meeting organized by Richard Whitman of the Governor’s Natural Resource Policy Office on December 5, 2011.

8) Oregon Tsunami Hazard Mitigation Program: (Don Lewis and Rachel Lyles, Geologic Survey and Services Program)

a. Status of the Agency’s work on tsunami hazard mitigation:

Information Item

The agency has been identifying and mapping the tsunami inundation hazard along the Oregon coast since 1994. In Oregon, DOGAMI manages the National Tsunami Hazard Mitigation Program (NTHMP) that was initiated in 1995 and is administered by NOAA. DOGAMI’s work is designed to help cities, counties, and other sites in coastal areas reduce the potential for disastrous tsunami-related consequences by understanding and mitigating this geologic hazard. Towards this, we have now developed a new generation of tsunami inundation maps to help residents and visitors along the entire Oregon coast prepare for the next nearby Cascadia Subduction Zone (CSZ) earthquake and tsunami. Don Lewis briefed the Board on the status of the program.

b. Discussion of improvements to the Tsunami Inundation Zone maps (OAR 632-005) and potential next steps: Information Item

Rachel Lyles discussed improvements to the Tsunami Inundation Zone maps. Department is now in production mode to produce the set of new Cascadia Subduction Zone Inundation Maps for the entire coast. This work is anticipated to run through mid-2014. The new maps are based on the best available science and were modeled using best available bathymetric and lidar
data. Evacuation routes, signs, and assembly areas are being updated and are part of our community outreach efforts.

Chair Givens suggested that the Board and agency consider re-evaluating and perhaps re-adjusting our 2009-2015 Strategic Plan.

Phipps sees opportunities to provide leadership frameworks within communities and would like to see this included on the timeline. She also would like to know how we plan to keep the communities updated and suggests tying this into a possible revision of the strategic plan.

McConnell noted that the Tsunami Hazard Mitigation Program is a national program and is federally funded. The competition for those funds is strong. The reauthorization of the project will come before Congress next year and appropriations most likely will decrease. So we must look at that reality when we discuss how we will administer this project.

9) **Set Time and Date for next meeting:** (Board)
   The next meeting will be a day-long meeting in Portland on Tuesday March 20, 2012.

10) **Additional Public Comment:** (three minutes limit per person unless otherwise specified at the meeting by the Chair)
   Jay Raskin urged the Board to review and revise the Strategic Plan, so there is a way to track how well DOGAMI and other agencies are helping fulfill the natural hazard mitigation mandate. He realizes it calls into question the Strategic Plan priorities and resource allocations, but believes it is justified because the Cascadia Subduction Zone earthquake is the most serious natural hazard that Oregon faces. He suggests inviting Chris Goldfinger to discuss his research.

   He also knows that the Cascadia event gets broken down into tsunamis and earthquakes. Because of funding, we are focused on tsunami risk, but the economic impact of one of these earthquakes on the state would be 30 – 40% of the gross state product and thousands of casualties, and of that percentage the earthquake component is the larger component and more Oregonians will be impacted by the earthquake than by the tsunami.

   Raskin’s motive is that he wants to feel he has done enough. He has made it his personal task and is giving this task to DOGAMI as well. If DOGAMI is not the major pusher in terms of state agencies, then he doesn’t know who is responsible.

   Raskin noted a number of local experts to call on including Dr. Goldfinger, Harry Yeh, Evelyn Roloff and Nate Wood of the USGS, and Yumei Wang of DOGAMI. He encourages the Board to get their direct testimony.

   He noted his discussion with Rob Witter before he left the agency regarding the water depths and velocities in the inundation modeling, which can be used for planning purposes. These data allowed the tsunami vertical evacuation study in Cannon Beach and will be available up and down the coast. It also allows you to do evacuation simulation modeling and take measures on how
to reduce the amount of casualties. He believes we should be discussing this
with NOAA right away to secure funding.

Larry Tuttle spoke to the Board regarding chemical process mining. He
cautions the Board that he believes there will be a great deal of pressure to
modify the legislation and rules in the upcoming session, because the attorney
for Calico Resources was the liaison to Governor Roberts for the adoption of the
1991 mining law and rules subsequent to the law.

He also believes that there will be lobbying to return a lot of the
functions from the state to the federal government. The federal government
cannot deny a permit, and cannot condition its approval of a plan of operations
on securing other permits. It has a very limited role, which is one of the reasons
the 1991 law came about. Oregon didn’t feel the federal role was sufficient to
protect the environment.

Tuttle noted that there are two other players in uranium mining other
than the Energy Facility Siting Council. There is USDOE which administers the
Uranium Mill Tailings Radiation Control Act. There is also the Environmental
Protection Agency which, other than the Clean Water and Clean Air Act, which
has a direct role called the Technology Enhanced Naturally Occurring Radioactive
Material, which controls the products produced at uranium mines and the
products left over from the mining process.

Tuttle will put all his concerns in writing to create a file.

11) Adjourn – Meeting was adjourned at 12:30pm

Action Items:

1. Send Board a copy of Nature of the Northwest sales chart. – Done

2. Send Board a copy of draft Oil & Gas and Geothermal rules. – Done

3. Send Board a copy of Larry Knudsen’s response to Senator Dingfelder’s
question about possible impacts of Idaho’s hydraulic fracturing on Oregon’s
water.

APPROVED:

______________________________ ________________________________
Larry Givens, Chair           Douglas MacDougal, Vice Chair

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Charles Vars                   Lisa Phipps

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Steve Macnab