

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

Monday, April 23, 2012
Portland, Oregon
Teleconference

1) Call to Order:

Chair Larry Givens called the teleconference meeting to order at 12:05 pm

2) Introductions:

Board Chair Larry Givens, Vice Chair Douglas MacDougal and Board Members Charles Vars and Lisa Phipps were present by teleconference.

DOGAMI Staff in attendance:

Vicki McConnell, State Geologist

Gary Lynch, Assistant Director

Alyssa Boles, Administrative Specialist

Carol DuVernois, Executive Assistant

Others:

Larry Knudsen, AAG

Larry Tuttle, Center for Environmental Equity

Tim Barnes – Bureau of Land Management

3) Consideration of Legislative Concept: (Vicki S. McConnell, State Geologist)

Action Item

- a. DOGAMI seeks the Board's approval to update statutes governing Coal and Metal Mining, ORS 517.905 to 517.951. DOGAMI staff and DOJ staff will brief the Board on the issues the proposed legislation would revise.

McConnell gave the background on the need for a revision of the Coal and Metal Mining statutes. Lynch and Knudsen briefed the Board on the details of the proposed Legislative Concept. DOGAMI through the Mineral Land Regulation and Reclamation Program (MLRR) is the primary regulatory agency for the state in regard to coal and metal mining operations to ensure beneficial secondary reclamation. The statutes for this regulatory activity have not been reviewed or revised since enactment in 1981.

The statutes are in need of revisions because the financial security provisions are inadequate. The timelines for permit processing are unrealistic, in view of increased regulatory complexity. The statutes do not authorize the Governing Board to establish requirements for public notice and comment and may restrict DOGAMI's authority to partner with other interested agencies. Some of the statutory provisions are also inconsistent with or duplicate provisions that exist in the general and chemical process mining suites of statutes.

20 b. Public Comment regarding the proposed Legislative Concept: (three
21 minutes limit per person unless otherwise specified at the meeting by
22 the Chair)

23 Larry Tuttle believes there are some gaps in the metal mining statutes and offers
24 his assistance with revisions. He believes there will be increasing metal mining
25 applications. He reminded the Board of the Formosa mine and said that had there been
26 metal mining statutes that more closely mirrored the Chemical Mining statutes that
27 much of the problem could have been eliminated before it became a problem.

28 c. Board action

29 **Motion: Vars moved to approve the agency’s request to pursue to proposed**
30 **legislative concept. Phipps seconded. Voice vote: Vars- yes, MacDougal – yes,**
31 **Phipps – yes, Givens – yes. Motion carried.**

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33 **4) Agency Management Staffing Change**

34 McConnell announced the resignation of Assistant Director Don Lewis effective
35 April 20, 2012. Staff will fill in as needed until a replacement can be found. McConnell
36 requested a volunteer from the Board for the recruitment team. Givens volunteered.
37 Phipps would also assist if Givens is unable.

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39 **5) Adjourn** – Meeting was adjourned at 12:30pm.

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41 **Action Items:**

42 No action items.

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44 APPROVED:

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Larry Givens, Chair

Douglas MacDougal, Vice Chair

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Charles Vars

Lisa Phipps

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Steve Macnab

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