1) **Call to Order:** (Laura Maffei, Board Chair)

Chair Laura Maffei called the meeting to order at 8:32 a.m.

2) **Introductions:** (Laura Maffei, Board Chair and Staff)

Chair Laura Maffei, Vice-Chair Katie Jeremiah, and Board Members Scott Ashford, and Diane Teeman and Linda Kozlowski were all in attendance via Zoom video/phone.

Department of Geology and Mineral Industries (DOGAMI) Staff in attendance:
Sarah Lewis, Interim Director/State Geologist and MLRR Program Manager
Lori Calarruda, Executive Assistant/Recording Secretary
Steve Dahlberg, Chief Financial Officer (CFO)
Bob Houston, GS&S Program Manager/Legislative Coordinator
Vaughn Balzer, Floodplain Reclamationist/Rules Coordinator
Laura Gabel, Coastal Field Geologist/KPM Coordinator
Cari Buchner, Mining Compliance Specialist
Emil Petcov, Fiscal Analyst 3

Others in attendance:
Diane Lloyd, Department of Justice (DOJ)
Amira Streeter, Policy Advisor Governor’s Office
Christina Appleby, DOGAMI Staff on personal time and as DOGAMI’s SEIU Sub-Local President
Ruarri Day-Stirrat, Geologist
Anna Sovereign, House Republican Office

**Recruitment Update:**

Chair Maffei said she spoke to John Paschal, the Executive Recruiter, and there is a revised draft of the Recruitment Plan that will be reviewed and sent out to the Board members, so they are aware of the upcoming dates. The recruitment has closed and there are multiple candidates. Maffei said Paschal will review the candidates to determine those who do not meet the required minimum qualifications. As part of the review panel, the Board will receive resumes and cover letters of the remaining candidates to individually score them on paper, which will not be part of a meeting. That information will be compiled by DAS to help decide who will be in the first round of interviews.

3) **Review Minutes of June 25, 2021 and August 19, 2021 Board Meetings:**

Chair Maffei asked if there were any changes to the minutes as presented. No changes.
Board Action: **Jeremiah moved to approve the minutes of June 25, 2021 and August 19, 2021 as submitted. Kozlowski seconded. Motion carried.**

4) **Rule Writing:**

Vaughn Balzer, Rules Coordinator, discussed HB2202: Aggregate Mining on High Value Farmland in the Willamette Valley.

Balzer said the DOGAMI Governing Board approved the draft text of the new rule and rule amendments for implementing House Bill (HB) 2202 (2013) during the December 4, 2020, Board Meeting. DOGAMI – MLRR completed the required Public Notice on May 24, 2021, and Legislative Notice on June 15, 2021. No public or legislative comments were submitted on the proposed new rule and rule amendments. The text of the new rule and rule amendments has not changed since being approved by the Board on December 4, 2020. The final Board approval date must be after the completion of the Public and Legislative notice. DOGAMI requests final Board approval to adopt the new rule and rule amendments with a proposed effective date of October 1, 2021.

Chair Maffei clarified with Balzer that this is a rule the Board previously reviewed and approved, and this is the final approval since no comments were received. Balzer stated that is correct.

Jeremiah asked if this was approving the public notice of the rule. Balzer explained the public notice process has been completed and no public comments were received. There are no changes to the rule text or rule amendment text that was approved during the December 4, 2020 Board meeting.

Board Action: **Kozlowski moved to approve the new rule and rule amendments related to Aggregate Mining on High Value Farmland in the Willamette Valley. Teeman seconded. Motion carried.**

5) **Financial Report:**

Steve Dahlberg, Chief Financial Officer, presented the DOGAMI FY2021 Budget Status Report, as of June 30, 2021, for the Geological Survey and Services (GS&S) and Mineral Land Regulation & Reclamation (MLRR) programs.

Dahlberg said the update is the end of biennium results and the Agency is underbudget in all funds. For clarity, this is the closing of the biennium, normal June 2021, and Period 13. He explained Period 13 is the accounting period where accruals of revenues and expenses go for the services of the prior year, but after the normal June closes. The official closing of the biennium is in December 2021, but he does not expect there to be any changes to the numbers. Dahlberg stated the Agency made it through the biennium in good standing and with an approved budget for the 2021-2023 biennium.

The Agency made many strategic purchases to use some of the available General Fund budget at the end of the biennium. These purchases included replacing two servers, many aging laptops and workstations, Organizational Management consultants, signing up staff for training, and other scientific and safety equipment. DOGAMI was successful in buying everything on its list except for two items. Due to COVID related shortages and delays in manufacturing, the ARGO (8-wheeled amphibious vehicle) and its trailer were not delivered until recently and will be an FY22 General Fund expense. While this was not the plan for 2021-23, these expenses will be incorporated into the new
projections. DOGAMI is now engaging DAS Surplus for disposal of the old ARGO and trailer, which both are about 15 years old.

The General Fund ending balance of $542,720 is due to vacancy savings, better indirect recovery than anticipated, ordering items that have been on hold, and COVID reimbursements. In addition to the $300,000 already reverted from vacancy savings, this brings the total the Agency will be reverting back to $843,000 in General Fund. The unused balance does not roll over to the next biennium and the Agency will start over with a new budget.

The Other Funds ending balance is $330,642, which is close to the projected balance from the last Board meeting. Dahlberg stated, each month the Business Office sends out invoices and follows up with funders as necessary.

The Federal Funds ending balance is negative (-) $7,607. The negative balance is due to a timing difference between expenses generated and revenue collected, but will catch up soon. Dahlberg explained that DOGAMI staff charge their time to a specific federal grant, then the Business Office submits the invoice, called a “draw” for reimbursement of these expenses the following month. A small change has been made to the lidar program and staff are doing inhouse hydro flattening work, but these charges are unable to be collected until the work is completed. There is no projection for Federal Funds due to it being the end of the biennium. The next financial update will include the projections since it is the start of the new biennium.

Ashford asked if it is more cost effective to reduce the lidar data inhouse instead of using the vendor. Dahlberg said there is potential it is more cost effective. He explained when budgeting, the rate and expected cost of the vendor are being used, but the work is done in house, which allows more hours for staff to do work. The funder will not be charged more than what the Agency committed to, and he expects they will actually be charged less than they would have been, by doing the work inhouse. Ashford said he understands if staff need work, but he wants to keep an eye on it to ensure overall it holistically makes sense for the Agency and does not go over costs by doing the work inhouse. He would like to have a report back on how the inhouse compares to the vendor. Dahlberg will provide a recap at the end of the project.

The MLRR biennium ending balance is $454,167, due to the fee increase, careful spending, and COVID reimbursements of ~$75,000. The goal of the fee increase is to have a 6-month operating reserve built up by the beginning of the 2025-2027 biennium.

Dahlberg stated for the next biennium there are three lidar projects being fully developed for the BLM (Klamath), USGS (3DEP in Baker County) and USGS (3DEP in Coos County), but the total amounts are not yet determined. The 10-day letters will be submitted by October 18, 2021 with the expectation of it being scheduled for Legislative approval on November 15, 2021. The most recent request for Legislative approval to submit a federal grant is the annual STATEMAP grant, which has been awarded to DOGAMI since the program’s inception in 1992. This grant is for $360,000, it has a 50/50 match, and is incorporated in the new biennium budget.

The Strong Motion Instrument Fund (SMIF) ending balance is $260,376. Dahlberg said the Agency is expecting to complete Work Order #4 with the University of Oregon for $200,000 to purchase 24 seismic instruments at 18 different locations. The MLRR Reclamation Guarantee Fund ending balance is $669,943 with 58 Cash Securities.
Dahlberg said the Business Office has its routines working well with revenue invoicing and collections, paying Agency bills, grant reporting both internally and externally, and regular business processes. He has been working with DAS to finish the year-end closing process including year-end accruals and reporting, and they will work together on the new biennium’s reporting and forecasting. DOGAMI’s projection for the 2021-2023 biennium will be presented at the next Board meeting.

The Business Office has identified the need to review and document its current processes, which will include reviewing and updating existing policies over the next year. New tools are being developing to aid in the Agency’s forecasting process to continue better monitoring and projecting General Fund expenses for the current biennium. Dahlberg introduced Emil Petcov, who was hired for the Fiscal Analyst 3 position and started on September 8, 2021.

Chair Maffei asked about the total amount of General Fund the Agency underspent. Dahlberg said it was a little over $840,000 and clarified that DOGAMI had agreed with DAS CFO and LFO that the vacancy savings of $300,000 would be reduced from the budget. With that revision, the Agency finished $540,000 underbudget, but total amount reverted back is about $840,000. Maffei asked what the Agency needs to do going forward to not leave that much money on the table, besides the capital expenditures. Lewis said part of the work over the last couple years has been to develop tools to put in place to very carefully monitor and track the budget. The other factor to consider is the Agency is unlikely to be in a situation similar to the last two years where the Agency received two single year budgets. The first-year budget took the 2-year budget and split it in half and there were many expenses that are actually biennial expenses that occur in the first year. The Agency ended up close to that number mid-year and then had an increase with the second-year budget. So, in order to stay careful during the first year, the Agency underspent in a way that it may not have to in the future with the new tools and projections for the next biennium. The Agency is not in the same situation this time.

Ashford said he wished the Agency was able to spend and not leave the money on the table, but between the two single year budgets and delays he is comfortable with where the numbers and Agency ended up, stating the university has had some unexpected carry forwards because of the pandemic as well. He thinks the leadership will take this into account next year. Dahlberg said his active role in the Agency’s projections will not stop and going forward there will be continued monitoring and sharing of information with management. He stated there were also several large lidar projects that contributed to the better than anticipated indirects. If there is surplus in the future, DOGAMI will make the best use of it for the benefit of the Agency and citizens of this state.

Chair Maffei said she did not suggest the Agency just wildly spend money, but the Agency should use the resources it is given effectively to get the best product it can.

Jeremiah gave kudos to the Agency for the work they did digging in, finding tools, setting the processes, and executing in a way that the Agency is able to report back to the legislature. This is a much easier conversation to have with them, rather than asking for money. She wanted to give credit where credit is due.

Chair Maffei agreed, the last couple of years have not been easy and this is a much more pleasant conversation to have than in the past. She thanked Dahlberg and the rest of the Management Team for their efforts.
Board Action: Teeman moved to accept the Budget Status Report as presented.
Kozlowski/Jeremiah seconded. Motion carried.

6) Key Performance Measures (KPMs) Annual Data Report:

Laura Gabel, Coastal Field Geologist and KPM Coordinator, and Bob Houston, GS&S Program Manager, reviewed completed Key Performance Measures (KPMs) 1) Hazard and Risk Assessment Completion, 2) Detailed Geologic Map Completion, 3) Lidar Data Completion, 4) Percent of Permitted Mine Sites Inspected Biennially, 5) Customer Services, and 6) Governance. The Key Performance Measures (KPMs) show how the Agency has performed and will be submitted by DOGAMI to the Legislature. The reporting period is for FY21, which is July 1, 2020 to June 30, 2021.

KPM 1 – Hazards and Risk Assessment Completion:
Percent of population residing in Oregon Urban Growth Boundary Areas (UGBs) that have completed geologic hazard and risk assessments that are suitable to initiate Depart of Land Conservation and Development goal 7 planning for earthquake, landslide, tsunami, coastal erosion, volcanic or flooding hazards.

The completion of hazard and risk assessments are dependent on funding from local, state, and federal resources. It started with a 42% baseline in 2018 and the goal for the KPM is to complete 100% in 10 years.

As of June 30, 2021, 57% of UGBs have full Hazard and Risk assessments. DOGAMI’s hazard program has obtained 100% of the 2021 target, which was 57%.

Gabel reviewed the attached map to the Board. She explained the map shows all UGBs and their percent completion of hazard and risk studies. The color and size of each dot represents the % completion, with the small black dots representing communities with no studies completed and the largest green dots representing communities with all hazard studies completed. Red, orange, and yellow then represent communities with some but not all studies completed.

KPM 2 – Detailed Geologic Map Completion:
Percent of Oregon where geologic data in the form of high-resolution maps have been completed to be used for local problem solving.

Geologic mapping projects are dependent on funding from local, state, and federal resources.

As of June 30, 2021, 62.7% of Oregon’s nominal inhabited areas have high resolution geologic map coverage. DOGAMI’s Geologic Mapping program has obtained 96% of the 2021 target, which was 65%.

Gabel reviewed the attached map to the Board. She explained the map shows Oregon’s nominal inhabited areas as the tan polygons. The publication of high-resolution geologic maps is shown by orange boxes representing quads published in FY21, purple and red boxes representing previous projects. Note that there is also a lot of mapping outside of the population centers, which is critical for the understanding of geologic resources and hazards as their reach extends well beyond city limits.
KPM 3 – Lidar Data Completion:
The percent of Oregon with lidar data at USGS quality of Level 2 or better (density and accuracy). The higher standards are lower numbers.

Obtaining lidar data is dependent on funding through local, state, and federal resources. As of June 30, 2021, 56.1% of Oregon now has lidar data at USGS quality level 2 or better. The lidar program has obtained 104% of the 2021 target, which was 54%.

Gabel reviewed the attached map to the Board. She explained the map shows areas of the state with lidar coverage. Orange areas represent projects acquired during FY21, and green areas represent previous collection areas. The combined orange and green areas represent the cumulative state coverage of 56.1%.

KPM 4 – Percent of Mine Sites Inspected Biennially:
The percent of permitted mine sites inspected biennially.

The target for this KMP is inspecting 100% of permitted mine sites in the biennium. In total, for the 2019-2021 biennium, the agency has inspected 15% of the total number of permitted mine sites.

Gabel reviewed the attached map to the Board. She explained the map shows the distribution and frequency of mine site inspections conducted between July 1, 2019 to June 30, 2021. The majority of sites are inspected once, as represented by the dark blue dots. Other colors represent sites inspected more than once and the black dots represent mines not inspected during this biennium. Additionally, each county is shaded based on the percentage of completeness of mines inspected in that particular county. Most counties are orange, meaning at least one but not more than 25% of the mines have been inspected.

KPM 5 – Customer Service:
Percentage of customers rating their satisfaction with the agency’s customer service as “good” or “excellent”: helpfulness, overall customer service, accuracy, expertise, availability of information, and timeliness.

There are two different customer surveys – overall DOGAMI and MLRR specific. In total 151 customer surveys were submitted in FY21, which is down about 50 from 2020. The target goal of the KPM is 95% of responses as good or excellent for each category.

Helpfulness: 85.4% (90% of the target goal)
Overall: 88.6% (93% of the target goal)
Accuracy: 89.3% (94% of the target goal)
Expertise: 86.6% (91% of the target goal)
Availability of Information: 84.7% (89% of the target goal)
Timeliness: 83.3% (88% of the target goal)

KPM 6 – Governance:
For Governance, on an annual basis the Board reviews and responds affirmatively or negatively to the best practice criteria. The time period covered is for July 1, 2020 to June 30, 2021, and the answers will be submitted to the Legislature through the formal process.

Chair Maffei, wanted to verify which ones were being approved. Houston clarified that the Board will be asked to answer the 15 required questions for KPM 6, and all KPMs need to be reviewed and approved. The submittal of the entire report is due October 1, 2021.

Chair Maffei had a discussion on Item 2 regarding the Director’s annual performance feedback. A formal official annual performance was not completed due to the issues with the Agency possibly being dissolved, but feedback was provided to Director Avy throughout the period.

Chair Maffei said her only concern is increasing the number of mine sites being inspected. She stated there has been resource issues and 2020 was a hard year due to COVID. She believes this needs to be revisited in the future.

Kozlowski said the report was very well organized and easy to follow. She is impressed with the lidar coverage for the state. Gabel said the credit goes to staff members Jake Edwards, Rob Hairston-Porter, and Bob Houston for making it happen.

Board Action: Kozlowski moved to approve the 2021 Annual Performance Progress Report as presented. Ashford seconded. Motion carried.

7) MLRR Update:

Sarah Lewis, Interim Director and MLRR Program Manager, provided an update on MLRR.

Please note, included in this packet is the ENGAGe Summer 2021 Edition newsletter that is also available online: https://www.oregongeology.org/mlrr/engage.htm

Permit Status Summary

Lewis stated general activity and permit numbers are stable, with the exception of a notable increase in exploration activity. Typically, there are about 14 active exploration permits, but there have been 9 new exploration applications over the last 6 months. This is a significant increase causing an additional workload for ReNeea Lofton, the Program’s Permit Coordinator, and Bob Brinkmann, the Technical Lead for Exploration. The processing of an exploration application is not as complex or lengthy as the Operating Permit, and most of these have already gone to the other partner agencies for review. Lewis commended Lofton and Brinkmann on their teamwork. Anecdotal information suggests that these are advance planning for operating permit applications for aggregate, non-aggregate and chemical process mining, as commodity prices remain strong. There is indication that the progress of the Grassy Mountain chemical process mining permit application is having an influence on exploration activity in the state.

Lewis stated the number of active applications for surface mining has leveled off and the average processing time for an aggregate application is almost 9 months, which has increased from earlier in the year due to the upsurge in submissions. Permit applications are processed in the order they are received and moved forward as applicants respond to deficiencies. Staff continue to communicate this proactively to applicants and existing permittees. Staff are moving through them as quickly as
possible, and she hopes to have the overall number of active applications reduced over the next 6-12 months.

Lewis reviewed the newsletter with the Board to show the Program has been providing updates to permittees regarding the increase in application timelines. The focus of the Fall 2021 issue is DOGAMI requirements for the exploration permits, in response to the recent influx of applications. Staff have developed additional FAQ's and guidance to answer the questions they most commonly receive. She said this is an example of how the ENGAGE newsletters have become a foundation of MLRR's outreach to the regulated community and the public. The newsletters are posted to the website, archived and available to the public.

Chair Maffei asked how frequently the newsletter are being produced. Lewis said they are being done quarterly/seasonally and there have also been two or three special edition newsletters on specific topics such as Civil Penalties, and they can be produced any time in response to a need to share information.

Compliance Update

Lewis introduced Cari Buchner, Mining Compliance Specialist, to discuss the compliance portion of the update.

Buchner reviewed the map that showed the compliance activity across the state and the summary table. They do not reflect significant change since the last update. She said there was a small increase in total active compliance actions over the last quarter, but it does not include the number of actions resolved, or the fluctuation in the pool. The Program has resolved 30 actions since January 1, 2021 and it initiated 45.

Buchner said the Civil Penalty Fact Pattern for non-payment of renewal fees has been added to the MLRR update. As the delegated authority for the Governing Board, the State Geologist approved four Civil Penalties for nonpayment this quarter. These are in line with the previous approvals by the Governing Board.

Buchner provided an update on the Mining Without a Permit (MWOP) cases. The Program’s first MWOP case, that is currently in progress, is Morgan Creek. In early July the respondents hired consultants to conduct necessary analyses and draft reports and reclamation plans. MLRR anticipates meeting soon to review the plans with the consultants. Counsel is working on drafting final settlement agreement language. In the meantime, both parties have agreed to go forward with evaluating technical plans.

Chair Maffei asked to be reminded of the case for clarification purposes. Buchner stated Morgan Creek is in Douglas County and is the case that has been assessed a Civil Penalty that was requested to go to contested case. It has been in progress for over a year.

Buchner provided an update on the two cases that have received preliminary approval from the Board for pursuing Civil Penalties, Ekroth Quarry in Tillamook County and Blossom Gulch in Coos County.
At the EkrORTH quarry, the agencies are expecting a revised set of plans in the next few weeks. The site remains compliant with the Suspension Order. The permittees consultant is coordinating with the agencies involved to gather the details necessary to meet each agency's requirements. She said at the last Board meeting it was mentioned this one will likely come back to the December meeting with a penalty amount, but it will depend on how things play out between now and then.

Chair Maffei asked what other agencies are involved in this action. Buchner said this one involves Oregon Department of Forestry (ODF) and the Department of State Lands (DSL). Maffei asked if it was the mining operation that encroached on state-owned lands. Buchner answered yes.

Buchner said the Blossom Gulch site in Coos County was introduced at the last Board meeting, because it was quickly escalating to a 7 on the continuum of Mining Without a Permit. This was a situation where some mining activity was impacting the Blossom Gulch stream which is essential Salmonidae habitat. Since that time, the operator has been in compliance with the Suspension Order, and have established communications with the Department regarding their application submissions. At this point the urgency has decreased in pursuing the penalty amount and pushing forward because they are showing signs of being willing to come into compliance.

Chair Maffei said it would be helpful in the next meetings to have maps, slides, and photos available during the update. Buchner welcomed the suggestion and will include them next time.

Grassy Mountain Project Update

Lewis said the applicant submitted a revised Groundwater Baseline Data Report to DOGAMI for the Grassy Mountain Project, on September 1, 2021. It will be delivered to the Technical Review Team Water Resources subcommittee for their review. This is the second submission in response to the State's request for additional information in February 2020. Their first submission was a revised Wildlife Baseline Data Report, which was approved in February 2021. There is no statutory deadline for this phase of view, but Karl Wozniak, DOGAMI's Chemical Process Mining Coordinator, has been proactively working with the partner agencies to facilitate a timely review and response to the applicant. Lewis said the applicant has confirmed that a revised Geochemistry Baseline Data Report will be submitted next, followed by a revised full application sometime this fall.

Kozlowski asked how the relationship is with Calico and if it continues to be as effective as it has been previously reported. Lewis said yes, the Calico project manager retired in April and there are contractors managing the project now who are working Karl, and she meets monthly with the CFO and President of the company to review any higher-level concerns and to make sure the billing invoicing and communication are on track. The next quarterly meeting is next Thursday, it will include DOGAMI’s CFO, Steve Dahlberg, and a review of the budgeting process.

Kozlowski asked Lewis with her dual role, how is MLRR being managed and how stressful is it for her. Lewis said she is privileged to have the staff she has and to have built the teamwork and coordination among them over the last 3 years. They are able to support her and the Agency in taking on this role. She did have a conversation with them about what the indicators might be if they need to think about additional help, by appointing an interim manager or delegating certain responsibilities. But two weeks in, she is comfortably delegating things she can to the staff who are really the technical experts on these things. She stated so far so good.
Kozlowski asked if the KPM for mining will be discussed. Lewis said she did not have anything formally prepared, but she would answer any questions they had.

Chair Maffei said the goal is to inspect 50% of the sites the first year and complete 100% by the end of the biennium. She asked Lewis what the chances are of this realistically being done. Lewis said under current staffing it is not realistic.

Ashford asked if that is what the Program should be doing and said he is not sure it should. Maffei said she was not sure if there is legal obligation to inspect every mine site, whether it is in the permits or in state regulations the Agency has to conduct inspections (is a statute requirement for these inspections). If it is, there is a different problem. She said Ashford posed the question correctly, which is should the Program be inspecting every single mine site, or does it just respond to reports of concerns, which she believes is happening now.

Lewis said statutorily there is a requirement to inspect sites around certain permit actions, such as new permits issued, and they are also doing site visits for amendments, transfers and responding to complaints. She said the goal should be to inspect sites as often as needed to maintain compliance. Putting a timing on that is site dependent in some ways. She believes DEQ permits are inspected once during the life of the permit, and those permit cycles are 5-10 years for their stormwater water quality permit, which DOGAMI administers. For the mines and the permits DOGAMI issues, it can vary in length of time from 2-5 years to tens of years. There are other techniques that might be used, such as satellite imagery to do spot checks for mining outside of boundaries, but it is still staff dependent, because it takes time to review the images and then follow up for compliance reasons.

Chair Maffei said she would like at the next Board meeting, during the MLRR update, to have options presented to the Board to modify/adjust the KPM that is actually achievable. Ashford said instead of coming up with an achievable goal, change it to a goal that makes sense for the State. How often should the Program be inspecting sites to ensure they are in compliance, and utilizing the satellite imagery, as an example, as a great opportunity to save labor and cover more sites. If compliance issues are found, they should be inspected.

Kozlowski agreed with Ashford, and believes Lewis would have the criteria that would be more effective to use in terms of what Ashford suggested. She suggested having Lewis come back to the Board with those ideas to review. Maffei said it needs to be a metric that can be measured and not just a narrative, which is the point of the KPMs. Maffei asked Lewis to delegate it and bring it back to the next Board meeting, so the Board can discuss how to achieve the right goal for the State.

Kozlowski asked if there is something that precludes the use of drones. Lewis said, yes, they have to have permission to fly a drone over a site. As far as an inspection, the drones would be a good tool, but they would not replace on the ground inspections. A lengthy discussion took place about the use of drones and satellite imagery. Lewis will work toward providing a presentation to the Board on alternate KPMs to measure the MLRR program performance and meet State targets and guidelines. She asked to extend the timeline to do the presentation to the Board since the KPMs are part of the budgetary cycle. Maffei said that is fine, but she does not want to miss the opportunity. Ashford asked Lewis, as part of the effort, to provide the best practice of screening, when to visit a site, and what tools are available to the staff. He said this information might be helpful to the Board.

Briefing: No Board Action Required.
8) **GS&S Update:**

Bob Houston, GS&S Program Manager and Legislative Coordinator, provided an update on the GS&S program.

Since June’s update the Program has released six new publications: Geology of the North Half of the Lower Crooked River Basin, Crook, Deschutes, Jefferson, and Wheeler Counties; Natural hazard risk reports for Coos County, Hood River County, Sherman County, and Wasco County; and Tsunami Inundation Modeling Update for the Northern Oregon Coast: Tillamook and Clatsop Counties. The Department has published 12 publications so far this year and with the anticipated upcoming publications, expects to surpass the previous 5-year average of 14 publications per year.

The Agency has submitted a 10-day letter to the legislature for authorization during the September Legislative Days to apply for the USGS STATEMAP program federal grant. The proposed grant would provide continued funding for a geologic mapping project in the Milton-Freewater and Athena region of Umatilla County in northeastern Oregon. This data is needed to model subsurface geologic conditions that control the distribution and movement of groundwater. This potential opportunity supports DOGAMI’s mission and goals to provide earth science information to make Oregon safe and prosperous.

Staff remain focused working on existing projects, closing others out, developing new projects, and exploring new options. There are currently 30 active grants. Houston said he sees possible/potential grant opportunities in the following areas: post wildfire landslide and debris flows; developing an “Oregon specific” probabilistic tsunami inundation model analysis; channel migration and flood zone analysis; geologic mapping for determine groundwater resources in and area; county level multi-hazard risk assessments; and lidar data collection projects.

As the Agency progresses through the biennium, some of these opportunities may become available, provided that the limitations on the grant does not impact its ability to end the biennium with a reasonable underbudget General Fund cushion. DOGAMI is working with commitment and a sense of urgency toward maintaining a financially stable and healthy organization that provides outstanding and critical earth science information and regulation. Staff have been working with a sense of commitment and urgency to maintain financial stability on grants. There has been constant communication with project managers, the Business Office, and Program Manager to stay on track with respect to the deliverable timeframe to ensure the Agency is coming in on time and underbudget. Chair Maffei stated grant monitoring is not on autopilot and requires daily conversations to ensure the Agency is staying on budget and not exceeding General Fund.

Ashford asked how the Oregon specific tsunami modeling is compared to the nationally adopted modeling. Houston said the HB 2605 accepted the ASCE Model, which is a global average of subduction zone type inundation and earthquakes, but Oregon is an outlier with respect to all subduction zones around the world. Ashford said to keep in mind that global models do averaging, but in the design process there are several steps taking into account how the previous steps were developed. The Oregon specific model might be more accurate for Oregon, but it will not fit into the design process very well. If the Agency does do something, it needs to be done in a holistic manner and look at the whole process and how it fits in, so there is not a mismatch between what it does and what the ultimate goal of the design process is. Houston agreed and said that before the Agency
submits an application to work on an Oregon specific probabilistic model, it would need to do a lot of vetting with the various stakeholders and the scientific community, including ASCE engineers that would ultimately be reviewing that consideration.

Kozlowski said they do want accurate information for local coastal communities, it is critical for evacuations which it may not necessarily fit into the global/international community. Kozlowski then asked where the Agency is in mapping the post wildfire areas. Houston said the Agency is pursuing post wildfire landslide and debris flow investigations in its current FEMA CTP grant proposals, and other opportunities that become available. He sees this as a key role DOGAMI can play in building resiliency to post fire hazards. There will be a field trip in this area for LFO, DAS CFO, and DAS ETS to talk about the products that DOGAMI produces and the work that is involved in completing a project. He wanted to make clear that the tsunami inundation deterministic models are appropriate for the tsunami evacuation modeling. The probabilistic modeling would be used for construction in the tsunami zone, by identifying what the flood height and velocities would be, not for evacuation purposes. Kozlowski said DOGAMI has done a great job on the Beat the Wave, which has been an important addition to evacuation modeling and great tool for coastal communities and they really appreciate it.

Briefing: No Board Action Required.

9) Director’s Report:

Interim Director Lewis stated this is her first update to the Board and wanted to review the focus areas for the Leadership Team during this transitional period between permanent Directors. She really sees their job as carrying the Agency safely afloat to the next Director. They do not intend to make any abrupt moves or sudden turns.

Lewis said the first focus is to monitor the budget closely. The Business Office staff are continuing to refine the tools used to share data with project managers and develop new tools to assist leadership in informed decision making for General Fund expenditures, which includes closely working with the DAS analyst to develop projections for the 21-23 biennium. Leadership is continuing to meet with DAS CFO and LFO analysts, and the Governor’s Office Policy Advisor.

The next focus is to meet key legislative deadlines and requirements. The Agency is scheduled to participate in hearings during legislative days next week to request approval for new grant applications. The Agency is on track to deliver a response to the budget note from the legislature directing DOGAMI to explore the feasibility of working with DEQ's online permitting system for MLRR's ePermitting needs. DOGAMI's contractor worked with MLRR staff to develop process maps and business requirements for key permitting workflows that were turned over to DEQ last week. The response to the budget note will include a cost estimate from DEQ's vendor and a proposed project timeline. This is not an approval to move forward with this, it is simple a response to a request for information. It does not mean the Agency is agreeing to anything, it would still need to develop a funding mechanism and make sure the proposed timeline worked for both agencies, or explore other options needed. Chair Maffei said this is just a step along the way. Lewis said the KPM reporting completed today will allow the agency to meet the legislative deadline.

The third focus is for the Agency to implement necessary state enterprise initiatives that include enterprise-wide IT projects, such as a migration of Agency email addresses in mid-October, and some
short-term planning with respect to continued remote work and office reopening. Originally state offices were supposed to open September 1st, but due to the resurgence of the delta variant, offices remain closed to the public for the next few months, and most staff are working remotely. Leadership has been directed by the State to develop those plans for reopening when that occurs, which at this point is likely a few months off. The Leadership Team has been working to ensure it is considering all the factors about what remote work and office reopening will look like for the staff, the public facing services, and continued success of delivering the Agency products.

Lewis said the last focus for the agency is to keep lines of communication open internally as DOGAMI navigates these months in transition, which has been a key concern throughout the Agency, and she will personally be focusing on this as Interim Director. She said this has been an extraordinary past few years for her in her role and for the Agency overall. She views this interim period as an opportunity to take small steps to build a strong agency in the service of the natural resources and people of Oregon.

Lewis thanked the Board for the opportunity to serve as the Interim Director and as State Geologist after the retirement of Director Avy and during the new DOGAMI Director recruitment.

Ashford said he is really thankful that Lewis was willing to step in as Interim Director. It is really great for the Agency, and it gives a high comfort to himself and the other Board members. He thanked her for serving in the role.

Kozlowski agreed with Ashford. She asked about the return to the office and how it will look. Lewis said agencies have been directed to be flexible as possible while still meeting key business needs. Leadership expects to have quite a few staff continue to work remotely.

Chair Maffei said to some degree it is not up to Lewis to decide, it is up to what the Governor’s Office tells the Agency it needs to do.

Kozlowski said everyone is grappling with this, there are real advantages to working at home, but there are also advantages to teamwork and coming together. It is going to be a real challenge for everyone over the next year or so.

**Briefing:** **No Board Action Required.**

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

Chair Maffei stated the next DOGAMI Board is currently scheduled for Friday, December 10, 2021 at 8:30 a.m. – 1:00 p.m. in Portland or via Zoom. She confirmed this date is still acceptable for the Board.

Chair Maffei informed the Board the information in the Board Packet has changed regarding a Special Board meeting to discuss recruitment and appointing a new Agency Director. The Friday, October 8, 2021 date will not happen. The Board discussed possible Executive Session recruitment dates. It was decided to hold November 1 and November 8, 11:00 a.m. – 1:00 p.m. on both dates.

Kozlowski asked for a reminder on the next steps for the Board. Maffei reviewed the interview process with the Board. She said the selection meeting may have several candidates to review.
11) **Public Comment:**

Only written comments received prior to or by 1:30 p.m. on the day of the meeting were to be accepted. Chair Maffei asked for any written public comments. No public comments.

12) **Board Adjourn:**

Chair Maffei adjourned the meeting at 10:53 a.m.

APPROVED

[Signature]

Laura Maffei, Chair