1) **Call to Order:** (Scott Ashford, Board Chair)
Chair Scott Ashford called the meeting to order at 8:32 a.m.

2) **Introductions:** (Scott Ashford, Board Chair and Staff)
Chair Scott Ashford, Vice-Chair Linda Kozlowski, Board Members Diane Teeman, Laura Maffei, and Katie Jeremiah, were all in attendance via Zoom video/phone.

Department of Geology and Mineral Industries (DOGAMI) Staff in attendance:
Ruarri Day-Stirrat – Director/State Geologist
Sarah Lewis, MLRR Program Manager
Lori Calarruda, Recording Secretary/Executive Assistant
Alex Lopez, Public Affairs Coordinator
Steve Dahlberg, Chief Financial Officer (CFO)
Jason McClaughry, Interim GS&S Program Manager
Laura Gabel, Coastal Field Geologist
Christina Appleby, Legislative Coordinator/Geohazards Analyst
Jeff Lulich, Reclamationist
Becca Misho, Reclamationist
Telicia Hixson, Natural Resources Specialist Intern
Dayne Doucet, Consolidated Mining Permit Lead
Cari Buchner, Mining Compliance Specialist

Others in attendance:
Diane Lloyd, Department of Justice (DOJ)
Sione Filimoehala, DAS Office of the Chief Financial Officer
Erica Medley, Member of the public/new Board Member starting 9/28
Anne MacDonald, Member of the public/new Board Member starting 9/28

3) **Introduction of New Board Members:**
Chair Ashford introduced new Board Members Anne MacDonald and Erica Medley, who were confirmed by the Senate on Friday, September 23, 2002. Their terms begin on Wednesday, September 28, 2002.

Erica Medley is an Engineering Geologist, and has been working for the Army Corps of Engineers for ten years; her specialty is in quantitative risk assessments for high-risk federal dams.
Anne MacDonald is a geomorphologist, environmental and engineering geologist currently working for Clean Water Services in Washington County.

4) **Review Minutes of June 16, 2022 and July 13, 2022 Board Meetings:**

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

Board Action: *Jeremiah moved to approve the minutes of June 16, 2022 and July 13, 2022 as submitted. Kozlowski seconded. Motion carried.*

5) **Financial Report:**

Steve Dahlberg, Chief Financial Officer, presented the DOGAMI FY2021 Budget Status Report, as of July 31, 2022, for the Geological Survey and Services (GS&S) and Mineral Land Regulation & Reclamation (MLRR) programs.

Dahlberg stated the financial actuals and projections are in the Board Packet, and his presentation will be on highlights and a financial summary.

For the highlights, Dahlberg said Legislative Days were last week, and DOGAMI’s request for approval to apply for a USGS Data Preservation Grant was approved. This past quarter, DOGAMI received three grant awards: BLM $75,000, over three years; NOAA $400,000, over one year; and FEMA $1.1 million, with multiple awards spanning three years. The Lidar Consortium has many projects and will finish up two Lidar projects, one for Elliott State Forest in Coos County, and one in Klamath County.

DOGAMI is expecting the CFO Analysts recommendations of its budget and POPs later this week. The Agency will have an opportunity to appeal the analyst’s recommendations within 48 hours, which will then be followed up with an in-person meeting in Salem to discuss the merits and the values of the POPs.

Currently, GS&S has a General Fund budget of $6.4 million, with planned expenditures of $5.2 million, resulting in being $1.2 million under budget; which is 18.5%. This trend continues to show staff are working more on Federal Funds resulting in less time on General Fund. This also has an impact of additional indirects, which are charged to Federal Funds, that actually benefit the General Fund. The Agency has started specific project work that had previously been put on hold; which include increased data processing efficiency, critical mineral research, and continued post-fire debris flow research.

Other Funds and Federal Funds are very strong. Federal Funds continues to have a strong outlook, and the current ratio between the two is 15% Other Funds and 85% Federal Funds. As a reminder, federal funders are BLM, FEMA, NOAA, and USGS, and for Other Funds, the largest three funders are the Department of Land Conservation and Development (DLC&D), the Universities, which are the University of Oregon and University of Washington, and Department of State Lands (DSL). The Agency is currently developing some new grant proposals for Other Funds. The Agency is going to be about $1.5 million under the limitation budget in Other Funds. Federal Funds has a $5.8 million limitation budget, and the Agency will spend $5.4 million.

MLRR’s overall workload is increasing, and staff are working hard to keep up with it. Revenues are meeting expectations and steady spending are resulting in meeting the 6-month operating reserve
target. MLRR’s budget is $4.3 million and the expenditures are coming in at $4.1 million; leaving the Program $200,000 under budget.

Chair Ashford asked if the $5.5 million budget is what has been approved by the Legislature to spend, and also what is the difference between the budget and what is spent on grants. Dahlberg explained the Agency asked the Legislature for the specific amount to spend, which was approved, but they do not determine where the money comes from.

Chair Ashford then asked if being underbudget on Federal Funds means the Agency returns some of the money. Dahlberg said it is two different things, the goal is to meet the needs and the requirements of the federal grant and to spend the money that has been approved for DOGAMI to spend.

Dahlberg went through the projections requested by Chair Ashford. He explained the General Fund projection is off by roughly 9%, as there was reduced spending in June and July due to increased Federal Funds.

Federal Funds represents about 85% of the combined Other Funds and Federal Funds grant revenue and expenses for the biennium. The shift in personnel cost from General Fund is based on the current grant load, as well as the increased Lidar work. Dahlberg said the projection is off about 13%.

Other Funds has fewer grants than planned and is off by about 10%, which is due to a strategic decision to go after larger grants; there is an expectation the Agency will have more grants in the next biennium.

MLRR Other Funds is driven from permit fees. The Program has a very consistent expense trend and personnel projection model that has been dialed in; the projections are just as predicted with a variance of 6%, which is on target.

Dahlberg said DOGAMI is doing well with a very healthy outlook for the future. He is confident in the projections and continues to update them. The Agency is looking forward to continued partnerships with various State and federal agencies to meet their needs and requirements. DOGAMI works as a team as it drives towards long-term success. The Agency keeps the LFO and CFO analysts, as well as the Governor's Office, updated on its progress.

Chair Ashford said he is happy to see that the trends and projections are doing well and it is great to see how the information on the grants now allows staff the ability to make a conscious decision to focus on the larger grants.

Kozlowski said it is great to see where the Agency is, compared to a couple of years ago, which is very different. It is exciting to see the analytics and be able to compare where the Agency is and what the projections are. She has greater confidence is the numbers. It is an excellent job! Jeremiah dittoed Kozlowski’s comments.

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

6) GS&S Grant History and New Grant Development:
Steve Dahlberg, Chief Financial Officer, and Jason McClaughry, Interim GS&S Program Manager, presented the GS&S Grant History and New Grant Development.

Dahlberg stated his presentation is on the GS&S Active Grants. The focus has changed from many grants to fewer but larger Federal Funds and Other Funds grants. The funding trend shows the overall revenues are still very good, even with fewer awards. The main area that has actually reduced is Other Funds. This information is tracked and updated quarterly, and includes the available balance and forecasted revenues, which helps to show the workload for staff.

In FY20 and FY21, there were over 40 grants worth $6.7 million to $9.5 million, and now it is 27 grants worth $8.5 million. Lidar grants are trending up with awards being an average of $3 million; they take less staff time because 85% of the cost and revenue goes directly to a third party. For Lidar, there are three milestones: 40% when it is flown, 30% upon first delivery of data, and 30% for final version of that data.

Chair Ashford asked when the Agency considers it revenue. Dahlberg said revenue is generated at the time of invoice. Outstanding invoices are monitored and tracked, with gentle reminders being sent out; there is currently only one customer that is over 30 days.

Dahlberg displayed and explained different graphs showing the same information in different formats for the revenue and funding mix trend. Kozlowski asked about the increase in FEMA funding and if it was due to the fires. McClaughry answered that it is driven by the amount of funds available in the program authorized by Congress, and what the Agency decides to apply for; in addition to the fires.

Other Funds Non-Lidar changes over time based upon the agency needs and their requirements. For this biennium, DSL, DLCD, and the Universities, have actually increased their percentage of the total mix. Ashford asked if these are fulfilling DOGAMI’s role serving other departments within the State. Dahlberg answered yes, the Agency is helping these other departments meet their needs with its expertise.

Dahlberg shared a chart with the intent to show how long the existing grant balance would last with the assumption no new grants were received; DOGAMI’s work would continue into FY24. This is not where the Agency is at, its normal trend of revenues are over $3 million.

Dahlberg reviewed the Grant Direct Expenses without indirect costs; it represents the actual workload DOGAMI has available for staff to work on. He said the intent here, is to show the remaining direct balance or workload over the last year has grown. He shared another slide with Lidar, which has a different cost structure. All grants showed a holding pattern around $3.5 million. When DOGAMI applies and is awarded new grants, it positively impacts the remaining direct expense and increases the available workload.

Dahlberg recognized Fiscal Analyst Emil Petcov, for his work on reviewing and compiling all the data. The information will be updated quarterly in the grant tracking sheets.

McClaughry presented the New Grant Development for GS&S. He stated building relationships is essential in grant development and within GS&S. For the benefit of the new Board Members and to frame the particular grants the Agency goes after, he reviewed the basic structure of the GS&S Program. GS&S is split into six programs: landslide inventory and landslide inventory mapping, flood
and channel migration, earthquake and seismic hazards, tsunami and coastal erosion, geology and mineral resource mapping. Since 2007, the foundation to all of these has been the collection of high resolution Lidar topography, which is data essential to all projects now, and many of the safety and federal partners as well.

Much of the relationship building has to do with collaboration with State, local, and federal partners in looking at developing and building projects that support both Agency statute and mission. He reviewed the grants by funder and the different GS&S programs to show which ones are Federal Funds and Other Funds. As an example, McClaughry stated the USGS STATEMAP Program has supported geologic mapping at DOGAMI since 1992, and has brought in nearly $4.5 million to the Agency for staff work. He added a variety of other partners, including other federal government agencies and many State agencies, rely on DOGAMI’s work, and from time-to-time will come to the Agency with ideas for projects, or staff develop those projects through conversations with those partners.

McCloughry broke the grant development down into three basic parts: Federal Grant Development, Need-based Grant Development, and Responsive Grant Development.

Federal Grant Development: Federal competitive grants that align with key GS&S program areas. These are annual programs that DOGAMI competes against others for, but there is no guarantee of receiving them. These are reliant on staff to build good projects, and write very effective proposals to convey the need for this funding to come to the State of Oregon to support our projects. They require regular engagement with federal program staff, including the Director level of engagement with Association of American State Geologists (AASG) to continue to learn about programs as they develop new opportunities. Staff also engage in advisory committees of Oregon stakeholders; build long-term partnerships with communities and local/state/federal collaborators; develop long-term mapping or research strategies (5-10 years); and develop proposals based on the needs.

Need-based Grant Development are non-competitive, aligned with the GS&S Program areas, and are typically where partners, such as other State agencies, come to DOGAMI with a particular issue they would like to address, and believe that geologic mapping, landslide mapping, or other hazard assessments will help them answer their questions and needs. Attending meetings and workshops on a regular basis lays the fundamental groundwork for building long-term partnerships. DOGAMI’s consistent engagement with stakeholders leads to sharing of ideas, concerns, and opportunities for collaborations. DOGAMI has expertise recognized by the notoriety of the staff. DOGAMI has developed long-term community-based mapping and research strategies that lead to either Interagency Agreements or longer-term Memorandums of Understanding, to support projects and the Agency coming in accomplishing goals.

Responsive Grant Development is based on the Agency’s responsiveness to events that happen. McClaughry used the Eagle Creek fire, that erupted in the Columbia River Gorge in 2017, as an example. Following those fires, Erosion Threat Assessment Reduction Teams (ETART) go in and focus on what are the risk to public health and safety, property, infrastructure on State and private lands, and they recommended a research protocol following the fires, that the State needed to understand post-fire debris flow and risk. The State did not have funds to conduct the studies, so DOGAMI responded by applying for grants through FEMA Cooperating Technical Partners (CTP) grants to conduct the critical post-fire debris flow research. DOGAMI was awarded $660,000 for research and another $100,000 to collect new Lidar. Additional funding came from the USGS to support that post-
fire debris flow assessment, and that research is ongoing and will be a big part of the future for GS&S research.

McClauhry reviewed the GS&S Grand Development Process flowchart, discussing in length all the steps in the process from how it starts by identifying the grant opportunity, to submitting a grant application to get it funded. McClauhry reiterated that building the long-term partnerships and relationships is important for this lengthy process.

Jeremiah asked how stakeholders are chosen to participate in the advisory committees for Lidar. McClauhry said it starts with identify other State agencies and partners to determine who to reach out to and then bring them in. Chair Ashford asked how someone would go about indicating their interested in participating on the team. McClauhry said to contact himself of Dr. Reed Burgette for Lidar.

Chair Ashford asked Dahlberg how much of the Lidar projects revenue covers staff. Dahlberg replied it is about 15% of the revenue.

Teeman said she applauded the work that has been done to setup this process to get grant money. She knows from experience what a delicate dance it can be when going after grants and identifying whether there is enough staffing to complete the work, yet needing to constantly be looking for additional sources of research grant money, so she really appreciates it.

Kozlowski applauded as well, she appreciated the high-level evaluation by Dahlberg and it was very informative.

Chair Ashford said he appreciates the thoughtfulness of the team and the process they go through to go after grants that are within the Agency mission, and can be done; before the Agency went after all grants no matter if made the money or not.

Briefing: No Board Action Required.

7) Agency Key Performance Measures Annual Update:

Laura Gabel, Coastal Field Geologist, reviewed the Agency’s annual Key Performance Measures.

Gabel stated KPMs 1-5 are for Fiscal Year 2022, which is July 1, 2021 through June 30, 2022. KPM 6 is the Annual Assessment of the Board and consists of 15 questions the Board will answer.

KPM 1 – Hazard 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 target was 62% and the actual was 68%. Chair Ashford said it looks like work has been done in every UGB. Gabel said she was not sure but would find out and let them know at the next meeting.

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.

The target was 66% and actual was 62.80%. Gabel said mapping is being done but not all done in the populated areas as captured by the metric.

**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.

The target was 56% and actual was 60.50%.

**KPM 4 – Percent of Mine Sites Inspected biennially:**

The percent of permitted mine sites inspected biennially.

The target was 50% and actual is 7%. This is reporting currently on the first half of the 2021-2023 biennium. Starting in 2 years DOGAMI will be reporting this differently.

**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.

The goal is to have 95% target in the six areas, and this year’s averages were between 74% and 80%. Gabel said there were roughly 100 responses out of 2000 emails sent. Chair Ashford asked if the number of responses is typical and if there is any additional information. Gabel replied that it has typically never been over 200 responses.

Jeremiah asked to have Director Day-Stirrat respond to this, based on her conversations with him with regards to MLRR specific concerns. Per her observation she believes the 2018-2019 change was when Sarah Lewis was appointed the MLRR Supervisor and there was a tremendous focus on customer service in permit turnaround time.

Day-Stirrat said he looked at the numbers, and this year’s respondent count is low relative to the past, so that makes one to one comparison quite difficult. There are some themes in the comments which have a mixture of validity. One key comment is around communication and speed of communications with regard to permits. The number of permits have gone up and inspections have gone down; those two factors are playing into those comments. Staff are overwhelmed right now with permits, and this is leading to a slower than optimal time in communicating with permit holders. Day-Stirrat said communication from staff to permittees has been incredibly constructive, well thought out, many options were presented to permittees to help move a permit forward; and there was a significant amount of time involved in putting that communication together. A few comments had to do with the number of times a permittee contacted the Agency, it does take time to respond to each email or phone call. MLRR staff are overwhelmed on permits, and overwhelmed on communication, which is leading to a general slowdown; and it is something the Agency will work on.

Chair Ashford asked if there is any differentiation between the MLRR and GSS Programs. Day-Stirrat said from the comments you can breakout which part of the Agency the respondent dealt with; it is
mixed. The strongly negative comments are individual responses. Day-Stirrat said what this survey seeks to do is to wrap some of that into a bit of a higher level, and what the Agency will try to do is to look at the helpfulness and timeliness, and see what can be done in terms of being more responsive and more communicative in the correct way that allow permits to move forward. One he wanted to address here concerns expertise. DOGAMI has had some senior retirements and if someone has/had 34 years in an Agency, yes, you lose expertise, but DOGAMI is trying to replace those positions. He is not too concerned about that particular one, but he is somewhat concerned about the overall sentiment, and Leadership/DOGAMI will attempt to address that over the next year.

A lengthy conversation took place.

Chair Ashford said this should come back to the Board, schedule a working session for a future meeting, and maybe at the next meeting talk/discuss a little more to find ways to improve collection of that data, and maybe help inform where the Agency needs to improve.

Kozlowski asked if two separate surveys are sent out to each Program. Gabel said yes, and explained they both get the same questions. Kozlowski would like to see the differentiation between the two so the Board can more closely focus on where to best support the Agency. Gabel said approximately 40 people responded to the GS&S side, and 74 responded for the MLRR side; there's so much more interaction between stakeholders and staff on the MLRR side than the GS&S side.

Jeremiah would like to see the separated results and thinks it is really important. She said the feedback she has received is the lack of simple status updates and not having timely responses to that, so they think that the response lack of responsiveness is targeted to their individual matter, and really it’s an agency-wide issue. She thinks an autoreply should be sent out and also have it in the newsletter to recognize that there is an issue, and that that the Agency is actively working on it.

KPM 6 – Governance:
For the Annual assessment by the Board, Gabel reviewed the 15 required questions and noted the Board Member’s responses. The target was 100% and the actual was 100%.

Board Action: Maffei moved to accept the revisions to the 2022 Annual Progress Performance Report as presented/revised. Teeman seconded. Motion carried.

8) MLRR Update and Permitting in Oregon:
Sarah Lewis, MLRR Program Manager, provided an update on MLRR and permitting in Oregon.

Lewis gave a brief presentation the Mine Permitting Overview for the MLRR Program. She gave a similar presentation to the Legislative Commission on Indian Services Natural Resource Working Group on September 9, 2022.

MLRR Program Overview Presentation

Lewis said the Mineral Land Regulation and Reclamation program, or MLRR, is funded by regulatory fees for permit. It is not currently supported by General Fund, grant funding or federal funding. The MLRR program oversees the State mineral production, and works to minimize impacts of natural resource extraction and to maximize the opportunities for land reclamation. The statewide program
regulates mining activities in Oregon and works collaboratively with other state agencies, local and Tribal governments, industry, and the public.

Lewis showed a diagram that summarized MLRR’s regulatory framework and explained the statutes are laws enacted by the legislature; divisions of rule are the Governing Board’s rules, which is where the Governing Board weighs in on how the program is operated; DOGAMI has regulatory authority for surface mining, through ORS 517 and oil and gas, geothermal under ORS 520 and 522 respectively. Under the drilling programs are three divisions of Oregon Administrative Rule (OAR); Division 20 is geothermal and Division 10 gas permits; there are currently no onshore oil permits in Oregon, and there is a moratorium on offshore drilling.

Under ORS 517, Division 30 is aggregate mining, which makes up the bulk of the surface mine permitting; it is almost 85% of the permits and workload. Aggregate mining includes upland rock quarries and the excavation of sand, gravel, and industrial minerals. DOGAMI does not have authority for in-stream mining, those permits are issued by the Department of State Lands. DOGAMI does also have delegated authority from the Department of Environmental Quality, or DEQ, to administer water quality permits on surface mines; approximately 20% of DOGAMI permitted mines also hold a DEQ permit. There are fewer permits under Division 35 and 33. Non-aggregate mineral extraction in Oregon is mostly for placer gold and silver. Mineral exploration activities looks for materials like clay bearing lithium, underground gold, silver, or platinum. Exploration activities may identify resources that could be developed into a larger mining project. There are currently no permits under Division 37, chemical process mining, but MLRR does have one application, which is the first ever received.

Lewis stated MLRR has a dedicated coordinator position at .75 FTE for the Chemical Process Mining Program, a full-time Stormwater Reclamationist for the DEQ permits, 5.5 FTE (5 1/2 people) Natural Resource Specialists cover the full workload for surface mining, exploration, gas and geothermal. Those technical staff are supported by 3.25 FTE Operational Support, and myself as Program Manager.

DOGAMI administers permits across every county in Oregon. Surface mining activity has just over a thousand permits; there are three clusters of gas wells in Columbia, Coos, and Malheur counties; geothermal wells located in Deschutes, Lake, Klamath, and Malheur counties; and the Grassy Mountain Goldmine Project in eastern Oregon.

There are also mining-related activities that are not under DOGAMI’s regulatory authority; in-stream mining is regulated by Department of State Lands; drilling of water wells, that are distinct from geothermal or gas wells, is administered by the Oregon Water Resources Department; mining claims are registered with the Bureau of Land Management, or at the county level; and DOGAMI does not regulate mining on Tribal owned lands.

Lewis briefly described the DOGAMI surface mining process in nine steps as: 1: Land Use Approval; 2: Permit Application; 3: Permit Issued; 4: Mining Begins; 5: Renew Permit Annually; 6: Site Inspections; 7: Mining Ceases; 8: Site Reclamation; and 9: Mine Site Closed. Lewis said it is important to recognize that DOGAMI does not determine where mining happens, that authority sits with the local land use decision making body; whether it’s a county, city, or different entity. Aggregate mining is one of the natural resources that falls under statewide planning, and that approval process allows for public input. The average annual aggregate production in Oregon is around forty million tons.
Lewis explained the Operating Permit Application Process ideally starts with an optional pre-application meeting to discuss the proposed plans, and clearly communicate requirements and timeline. She said the application process is designed to generate permit conditions that minimize off-site impacts during mining, and ensure mitigation and the return of the mined land to secondary beneficial use, such as forestry, industrial, open space; the application itself requires detailed technical operating and reclamation plans and site maps. The application is first assessed against a checklist for completeness, to ensure that all the required pieces are present, and then moves to technical review. If adequate information is received from the applicant, the application can move along quickly. If proposals deviate from standard practices, or the applicant initiates changes to the plan during the review process, this results in additional back and forth that lengthens timeline. A reclamationist will also meet on site with the applicant for a site inspection, during that review period. Each draft permit has site-specific conditions, based on the proposed operation and reclamation plans, feedback from our permitting partners. The permit also includes standard conditions, like don’t mine outside your permit boundary, and the inclusion of things like an inadvertent discovery plan for cultural and archaeological resources. Before a permit is issued, the applicant must also provide a financial security. The average time from receipt of an application to issuance, currently ranges from ranges from 8 to 12 months; complicated applications on the floodplain usually take 1 to 2 years. The application process for exploration, gas and geothermal well permits are generally similar to the operating permit process; the timelines and materials required, vary with the permit type.

Lewis discussed the Circulation of Applications. She stated that when an application is received, MLRR provides early notification to the local land use authority, and to tribal partners with an interest in that geographic area. Each draft permit goes through a formal 35-day circulation process and is sent to a wide range of permitting partners, including, but not limited to State and Historic Preservation Office, Departments of State Lands, Environmental Quality, Fish and Wildlife, Forestry, Water Resources, back to the local land use authority, tribal governments, and to federal agencies if they are the landowner. Any comments received are communicated back to the applicant, and then reconciled through modifications to the proposed plans, or perhaps through permit conditions. This is another place where MLRR has significant back and forth, and conversations with the applicant about how to get their plans to where the conditions required by the State are met. Lewis provided examples of requirements from other partners and said these are areas where applicants can be more proactive by reaching out to those agencies in advance. She added this is one of the things that MLRR can discuss at a pre-application meeting.

Lewis said the exploration permit process is receiving a lot of attention right now, given renewed interest in critical minerals, specifically lithium in the McDermitt Caldera in Southeast Oregon. The exploration permit process is similar to the Operating Permit Process, with a review of draft permits by circulating agencies, and site-specific conditions added to the permit, based on the responses received. One significant difference is that exploration is an outright allowed land use in most counties in Oregon. DOGAMI notifies the county, and the federal agency responsible for oversight of land use, but the permittee is responsible to make sure that they are completing requirements independent of permit issuance. Mineral exploration activities, look for things like clay bearing lithium, gold, silver, platinum, and these exploration activities may identify resources that can be developed later. Exploration activities that disturb more than 1 surface acres or drill to greater than 50 feet, require an Exploration Permit from DOGAMI. Exploring under these limits is considered prospecting, and does not need a permit. If more than 5 acres are disturbed, or the material will be
sold into market, then an Operating Permit is required. If the proposed operations include chemical processing of the ore to determine what is there, then it requires the Consolidated Permit Process. If mining is occurring without the appropriate permit, DOGAMI does have several tools to bring the operator into compliance; enforcement actions include Suspension Orders to cease operations, collecting the financial security posted by the permittee, and assessing Civil or Criminal Penalties.

The Consolidated Permit Process, associated with chemical process mining, is the most rigorous permitting process that DOGAMI administers. Chemical Process Mining is when extracting metal from metal-bearing ores uses chemicals to dissolve metals from the ore. There are currently no operating chemical process mines in Oregon, but the State received the first ever application in 2019 from Calico Resources USA, Inc., for the Grassy Mountain Mine Project outside of Vale Oregon. Oregon law envisioned strong environmental protections if chemical process mining was to happen in Oregon. The intent of the regulatory framework is to minimize environmental damage through use of best available, practicable, and necessary technology and provide protection measures that are consistent with polices of the permitting agencies. DOGAMI is the lead facilitating agency, and provides coordination, accountability, and mediation among partner State agencies, for the consolidated process that issues a single permit decision on behalf of the State. A Technical Review Team, or TRT, of permitting agencies and cooperating agencies review submitted materials and recommend approval of reports or request for additional information. External technical consultants provide reports where there is no in-house expertise or for a specific technical need. DOGAMI also convened a Project Coordinating Committee, or PCC, to share information and promote communication and transparency. The Consolidated Permit Process has many opportunities for public engagement, as the TRT and PCC meetings are open to the public, and PCC meetings also accept public comments. All the project materials are available online for review, and application and permit materials have public comment periods.

Lewis said applying for a Chemical Process Mining Permit takes many years and went through the steps and timeline by using the Grassy Mountain Project as an example.

The Grassy Mountain Project began as exploration activities and Calico Resources filed with DOGAMI Notices of Intent, or NOIs, to submit a Consolidated Permit Application in 2012, and again in 2015, which were superseded by the current NOI filed in February, 2017. In September 2017, Calico moved to Step 2 in this process, Notice of Readiness, by filing to collect Baseline Data and began preparing Baseline Data work plans for approval by the TRT. Step 3 of Baseline Data Collections, document existing conditions and preparation of Baseline Data Reports, has been ongoing since that time. In November 2019, Calico Resources moved to Step 4 by submitting the first ever Consolidated Application for Chemical Process Mining, and the project is currently in Step 5.

The State proceeded with a Completeness Review of the application, including convening a meeting of the PCC and holding a public hearing. In February 2020, the TRT determined that the application was not complete, and requested additional information from the applicant. Beginning in December 2021, revised application materials were submitted to the State, and review of the materials is ongoing. The next TRT meeting will likely be at the end of October. In late June, the TRT met and approved two Baseline Data Reports, and is now working on the revised application material. The Completeness Review occurs prior to an evaluation of the technical merits of the application; and is designed to avoid a situation where an agency would have to deny a permit for lack of information. Information required by statute or rule, and information requested from the applicant must be both present and sufficient for the application to be complete. When the TRT determines an application is
sufficient to support making a permit decision, DOGAMI will issue a Notice to Proceed, which is Step 6, and begin preparing required reports based on the application material; this includes an Environmental Evaluation and Socio-economic Impact Analysis. Portions of the Grassy Mountain Project are located on public lands, managed by the BLM, so DOGAMI is working with the BLM to coordinate on Key Environmental Analyses, their NEPA process, and other joint concerns, including bonding. There is a strict regulatory timeline for the preparation and review of the draft permit, and a final permit decision has to be made within a year. DOGAMI has a new coordinator on staff, working toward developing detailed protocols for Steps 8 through 10 of the Consolidated Permit Process.

**Permit Status Summary**

Lewis stated the total permit numbers are stable; however, the number of active applications have reached 69, and the workload is greater than the staff can handle. MLRR hired a Natural Resource Specialist 2 (NRS 2) Reclamationist to help with the process. Pre-application meetings continue to provide guidance on what materials are required for a complete application, to frontload the beginning of the process in hopes that once the applications get in the system, it can move through quickly by reducing or eliminating the back and forth over weeks or months with permittees to try to fine-tune what is needed. If there are deviations from what would normally be approved or special reports required, that is going to lengthen the timeline.

The Program is going to shift the initial Application Completeness Review to an administrative staff person, who will ensure that those materials needed to evaluate the application are in place before moving forward to technical review, to try and make the process more efficient. It will also create some clear milestone that staff can communicate to applicants, so that applicants have a better sense of where their permits are in the process.

Lewis wanted to recognize that staff are similarly frustrated by the slow timelines and the inability to provide the customer service that they want to. Staff pride themselves on the relationship that they have with permittees, and it is very difficult when they feel that they are not meeting their permittee’s and applicant’s expectations. They are highly productive but can’t make headway with the increasing workload.

Chair Ashford asked if the applications slow down in the winter. Lewis said MLRR actually receives more in the winter as many operations close down, or ease off a little bit for the winter months, and they focus on their planning for the next couple of years.

Chair Ashford asked Lewis what her take is on the anticipated uptick in applications and staff working really hard, as he is not sure there will be any catching up anytime soon. Lewis replied MLRR has hired a couple of new people, who are getting up-to-speed, and she anticipates the Program’s pace picking up with respect to its ability to do the work. One of the challenges staff are facing is the ability to answer calls and be responsive to giving status updates with so few people reviewing permits. Lewis appreciates Board Member Jeremiah’s suggestion about auto-reply emails, which is something the Program has not tried yet, and will work toward implementing it to give a better and immediate response to permittees; as she knows they just want to feel heard and know their permit is moving forward.
Lewis said there is slow decrease in the number of compliance items. She said staff are not going out and looking for people to enforce on, these are being found as part of routine permit review and often by complaints from neighbors. The Compliance Program has been up and running for about 3 years, it is really getting its feet under it and providing great support to the Permit Review Process.

Morgan Creek was MLRR’s first Mining Without a Permit Civil Penalty, that the Governing Board approved in July 2020. MLRR reached a negotiated settlement in December 2021, that included a timeline for reclamation and specific milestones. Earthwork was successfully completed in August 2022 and was verified by site inspection. Lewis showed some before and after photos and said the contractor and respondent are working to complete the work, and the payments negotiated in the settlement are all up-to-date. Lewis said she was pleased to be able to provide the Board with this positive update around how the program can be a success and protect the natural resources of the State.

Lewis said the MLRR packet includes the Summer 2022 Newsletter, that includes an update to the permittees on the performance of the January, 2021 fee increase, as the Board suggested at the last meeting.

Sarah Lewis introduced the new MLRR staff, who joined the meeting from the MLRR Conference Room. Jeff Lulich, Mining Geologist Reclamationist, who took over for Ben Mundie who retired in December. Becca Misho has been with DOGAMI for over two year and transitioned from office temp to a limited duration (LD) Natural Resource Specialist 2, and will focus on file review and permit review, in response to that increased application workload; this is not a permanent position for the Program, it is temporary to help with the workload. Telicia Hixson is a Natural Resource Specialist 1 Intern, to assist with office tasks; she will be pursuing a project as part of her master's program at Oregon State University. Dayne Doucet started last week as the Consolidated Mining Permit Lead, he has a background in petroleum engineering, and comes from a position as Oil and Gas Permitting Manager with the Utah Department of Natural Resources.

Jeremiah asked if the awards program is going to be reinstated. Lewis said the awards program is one of the higher priority things for getting reinstated once staff have available time; it is hard to justify it at this time. Jeremiah said she would like to see it remain as a priority, that when staff time allows the program can be resurrected.

Chair Ashford said he and the Board appreciate the work of the MLRR staff. He looks forward to hearing about how Jeremiah’s suggestions on better and additional communication works out at the next Board Meeting.

Briefing: No Board Action Required.

9) GS&S Update:

Jason McClaughry, Interim GS&S Program Manager, provided an update on the GS&S program.

McClaughry said seven publications have been released so far this year. Most recently, two multi-hazard risk assessments around Washington County and Marion County, and another tsunami and earthquake hazard study have been completed. There are five more publications that are currently...
going into editing and review for final release, and expects those to be completed by the end of this year.

McClaughry provided an update on the current staffing and active recruitments that are ongoing. Two NRS 4 level positions were advertised: Geohazards Specialist, and the Eastern Oregon Regional Geologist, which is a limited duration to fill the position he rotated out of to be the Interim Program Manager. The application period has closed for both positions and first round interviews are starting; the selected candidates will move on to the second round.

McClaughry said the following grant opportunities are significant awards for funding staff, and these are part of the annual grant programs that are funding fundamental programs for GS&S. They have either been received or are in the process of being developed.

Federal grants received:

- BLM Landslide Grant ($75,000 Federal Funds): Look at landslides in Coos Bay area.
- National Tsunami Hazard Mitigation Program (NTHMP) ($494,000 Federal Funds): Oregon Coast.
- FEMA Cooperating Technical Partners (CTP) Proposals: Three awards totaling $1,134,215 for Jackson County Lidar, Oregon Digital Flood Hazard Database Update, Historical Flood Event Database, Hood River County Landslide Inventory, Outreach and Community Engagement, Multi-Hazard Risk Assessments Cottage Grove, South-Central Lane County Geohazard Mapping & Risk Reduction.

Federal and Other grant applications:

- U.S. Geological Survey National Geological and Geophysical Data Preservation Program (NGGDPP) (up to $50,000 Federal Funds): This will work to archive and make publicly available some of DOGAMI’s historic mining data and other published resources, located in both the Baker City and Portland offices.
- U.S. Geological Survey STATEMAP Program (up to $250,000 Federal Funds): This program funds the Agency’s geologic mapping, and has funded geologic mapping in Oregon since 1992.
- U.S. Geological Survey 3D Elevation Program (3DEP) (up to $4,087,700 Federal Funds): Collection new high resolution Lidar in the entirety of Deschutes County, through the Willamette Valley, where the Lidar is now outdated; it was collected in 2007 to 2009.
- Oregon State Parks, Ecola State Parks Multi-hazards and exploring the possibility to make this a long-term arrangement with State Parks to look at the Ecola and other parks they have concerns about on the coastal segment, and then further inland as needed (TBD)
- Regional Disaster Preparedness Organization, Landslide Inventory Mapping in the Metro Counties, Washington, Multnomah, Clackamas Counties in Northwest Oregon, to continue to fill in necessary and needed mapping in there in that areas (TBD)

McClaughry provided details on General Fund special projects to take care of some key projects that are aligned with key GS&S Program areas. These are separated into three categories: research and development, build tools and infrastructure, and data maintenance; and there are two main projects.
The Eastern Oregon mineral scoping is basically designed to collect data and samples throughout Southeast Oregon to assess critical mineral potential. This is to look at the link between national security, economic security, and energy security, as we move to electrification. The Agency purchased a portable device to analyze lithium contents in rocks throughout Southeast Oregon. Staff can compare these to lab-based analysis, that they will get from rocks to create a spatial database of lithium concentrations in Eastern Oregon, to inventory what the State's potential resources are and how that may develop in the future. DOGAMI is also working with university groups that have looked specifically at McDermitt Caldera, and produced geologic maps in that area that the Agency will publish. This is aligned with proposed POP 102 in the Agency Request Budget.

The last project is the post-fire debris flow research and the Labor Day fires, which burned approximately 11% of the Cascades in Western Oregon. The Agency is looking at supporting additional field data collection after storms during the 2022-2023 season. This is aligned with POP 103 in the Agency Request Budget.

McCloughry said related to the idea of building relationships, this past week, one of DOGAMI’s staff members, Carlie Azzopardi, was out of the field with a company out of New Hampshire collecting rock samples for recreating a geochemical reference sample collection, which was used to calibrate both lab and portable geochemical collection devices. He shared a picture of Azzopardi collecting nearly four hundred pounds of rock at each site. He stated these types of partnerships pay off for the Agency in the sharing of ideas, and with the company helping DOGAMI to calibrate some of its exploration techniques for projects looking at lithium and calibrating the new portable device that is going to deploy in that project; also opportunities to collaborate on publications related to this and further DOGAMI’s mission.

Briefing: No Board Action Required.

10) Director’s Report:

Ruarri Day-Stirrat, Director & State Geologist, provided an update on the Agency.

Agency Update

Director Day-Stirrat stated the big Agency update will be receiving the 2023-25 Analyst Recommended Budget, which is an internal document, and is used to help advise the Governor as she prepares her budget. As such, DOGAMI is expected to keep the contents of that document confidential, and it will only remain within the Leadership Team as to how they work through that.

DOGAMI is having an extremely positive recruiting campaign for open positions within the Agency, which is bucking the State trend here. With Lewis’ introduction of DOGAMI’s intern Telicia Hixson, Day-Stirrat said this is something the Agency is very pleased to be able to have in place, as this is something that has not been around for some time and is something the Agency hopes to keep going over many years.

In mid-September, DOGAMI initiated an agency-wide, quarterly technical seminar series, and the goal of that was to enhance cross-agency visibility, and make sure that the Agency was acting as one. Day-Stirrat said one of his goals as Director, was to make sure that the two programs were coming together as best as possible, and this is one of those mechanisms.
Outreach and Community Engagement

Day-Stirrat said the last quarter the Agency has been focusing on outreach and community engagement. Two of the three people who went to the Cottage Grove Emergency Preparedness Fair on a Saturday afternoon in early August, were on this Board Meeting call, and he thanked them for that engagement. This was a multi-agency preparedness event in which the local community was informed of hazards and how they could best mitigate those hazards; it was a very well attended event with approximately 1000 people in attendance.

For MLRR, two entities with the largest number of permits in the State, have had extended sessions with DOGAMI staff, looking at how they may prepare more and complete permits, which is one step in helping the Agency move some of these actions forward.

DOGAMI’s LinkedIn presence has increased with sharing publications and job openings. This is DOGAMI’s soft opening into the social media space.

Day-Stirrat said in late July, he took an opportunity to visit the McDermitt Caldera in Southeast Oregon.

Day-Stirrat and Lewis took part in the Malheur County Economic Development Tour at the end of August. This was at the invitation of Senator Findley and Representative Owens. They toured the site of the potential Grassy Mountain Gold Mine Project, and answered many questions, for about an hour, from State Senators and Representatives. Those questions covered Consolidated Mining Permits, permits, mineral extraction, gold mining, and many other aspects of the work that DOGAMI does.

Next week he and Lewis will participate in the 2022 Annual Tribal-State Government-to-Government Summit. It is happening in Florence, with a specific session on Natural Resources and Climate.

The week of October 9th is Earth Science Week and there will be a proclamation from the Governor, with regard to Science Week. DOGAMI has distributed 49 Earth Science packs from the American Geological Institute (AGI) to Oregon school districts; the Agency will see what comes back, and then form part of its strategy going forward in that area.

Legislative Update

Day-Stirrat stated Christina Appleby is the Legislative Coordinator for the next biennium. The Agency’s grant request for the USGS Data Preservation Program was approved, so the grant will go in. DOGAMI has two large grants that will go into the next Legislative Session.

Chair Ashford said he heard DOGAMI presented itself well at the Grassy Mountain Gold Mine Project.

Briefing: No Board Action Required.

11) **Confirm Time and Date for Next Quarterly Meeting:**

Chair Ashford stated the next DOGAMI Board is currently scheduled for Thursday, December 1, 2022 at 8:30 a.m. – 1:00 p.m. in Portland or via Zoom. He confirmed this date is still acceptable for the Board.
Recognition of Board Members:

Chair Ashford recognized outgoing Board Members Laura Maffei and Katie Jeremiah and thanked them for their participation on the DOGAMI Governing Board. The Board greatly appreciates their service and dedication to the Agency.

Kozlowski thanked them both for their work and stated she has learned so much from them, particularly around MLRR.

Teeman thanked them, and said she enjoyed working on the Board with them.

Jeremiah said she appreciated her time on the Board and the diverse perspectives of everyone on the Board, it has been a pleasure and an honor. She stated Maffei’s leadership has been amazing and that she learned a lot from her. She feels very confident that the Agency is in good hands with Day-Stirrat.

Maffei said it was a pleasure and honor to serve the State. She reflected back to 2014, when she started on the Board, it was the very beginning of a huge amount of change in this Agency, and in the ensuing 8 years things went really, really bad and they have gotten so much better. It is really very heartening to her to know that the Agency is under good leadership, and it is going in the right direction; she knows the Agency is in good hands with Day-Stirrat’s leadership.

Briefing: No Board Action Required.

Public Comment:

Only written comments received prior to or by 12:15 p.m. on the day of the meeting were to be accepted. Chair Ashford asked for any written public comments. No public comments.

Comment of Anne MacDonald: MacDonald said she is honored to serve, and looking forward to serving the State of Oregon and helping maintain the standing that DOGAMI has in the State and across the country.

Board Adjourn:

Chair Ashford adjourned the meeting at 11:31 a.m.

APPROVED

Scott Ashford, Chair