

**GOVERNING BOARD MEETING MINUTES
OREGON DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES**

Monday, December 9, 2019

8:00 a.m.

Portland, Oregon

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

Chair Laura Maffei called the meeting to order at 8:06 a.m.

2) Introductions: (Laura Maffei, Board Chair and staff)

Chair Laura Maffei, Vice-Chair Katie Jeremiah, Board Members Linda Kozlowski were in attendance in person and Scott Ashford and Diane Teeman (via phone).

Department of Geology and Mineral Industries (DOGAMI) Staff in attendance:

Brad Avy, Director/State Geologist

Lori Calarruda, Recording Secretary/Executive Assistant

Dania Ballard, Chief Financial Officer (CFO)

Bob Houston, Interim Legislative Coordinator

Sarah Lewis, MLRR Program Manager

Cari Buchner, Mining Compliance Specialist

Bill Burns, Acting Earth Science & Remote Sensing Supervisor

Connor Anderson, Chief Information Officer (CIO)

Belinda Sautao, Grant Accountant

Others in attendance:

Sherry Lauer, DAS Human Resources (HR)

Diane Lloyd, Department of Justice (DOJ)

John Terpening, Legislative Fiscal Office (LFO)

Renee Klein, DAS Office of the Chief Financial Officer

Amira Streeter, Governor's Office Natural Resources Policy Advisor

Courtney Graham, SEIU 503

Brien Flanagan, Schwabe

1 **3) Review Minutes of September 9, 2019:**

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

3
4 Jeremiah had a question about approving the report and not the budget on page 5 and wanted to
5 know if it was still a pending action item. Ballard clarified for FY19 the Agency is still waiting on DAS
6 to process payables and it should be finalized by December 31, 2019.

7
8 Board Action: **Kozlowski moved to approve the minutes of September 9, 2019 as submitted.**
9 **Jeremiah seconded. Motion carried.**

10
11 **4) Approval of Annual Director's Evaluation Written Document:**

12 Chair Maffei did not have the document ready for this meeting. She explained she needs to write up
13 the evaluation done for Director Avy in September based on the minutes and the Board discussion in
14 Executive Session. The written document will not contain any Executive Session material, only the
15 statement they made at the open session of the meeting. The document will need to be approved at
16 the next Board meeting in March or if the Special Meeting is held in January.
17

18 **5) Confirm Time and Date for Next Meeting:**

19 Chair Maffei stated the next DOGAMI Board is currently scheduled for Monday, March 9, 2020 at
20 8:30 a.m. in Portland. She confirmed this date is still acceptable for Board members.
21

22 Maffei gave a heads up that a Special Meeting may need to be scheduled in January to discuss
23 additional financial requirements such as a potential second year budget and MLRR Fee Increase.
24 This is in anticipation of the Short Session that begins in February. A discussion took place on
25 available dates for Board members to determine availability for a potential Special Meeting date.
26 The Board chose to hold the afternoon of January 10, 2020, starting at 1:00 p.m., for a potential
27 Special Meeting that all Board members would attend by phone.
28

29 **6) Rule Writing:**

30 Bob Houston, Interim Legislative Coordinator and Rules Coordinator, discussed four separate rule
31 writing updates and/or requests that will need to be approved by the Board for further actions.
32

- 33 1) Update on Service Fees Rulemaking
- 34 2) Update on Permit Boundary Survey Maps Rulemaking
- 35 3) Update of HB 2202: High Value Soils Rulemaking
- 36 4) Request to Initiate Formal Rulemaking on Alternative Dispute Resolution Model Rules

37
38 **Request 1 – Approval of Service Fees Draft Rule Language**

39
40 Background: The Oregon Department of Administrative Services has updated the Statewide Policy on
41 Public Records Request Fees and Charges (107-001-030). At the July 9, 2019 Governing Board
42 meeting, the Board authorized the Department to initiate rulemaking to amend OAR 632-001-0010
43 to comply with the statewide policy on Public Records Request Fees and Charges. The proposed
44 draft amendments to OAR 632-001-0010 were approved at the September 9, 2019 Governing Board
45 meeting.
46

47 Houston stated that rulemaking is currently proceeding through the rule writing process. The
48 Department will provide an update after it has been completed to the Board at an upcoming
49 meeting.
50

51 Proposed Board Action: No Board Action Required.
52

53
54 **Request 2 – Update on Permit Boundary Survey Maps Rulemaking**

55

56 Background: The Board authorized the Department to initiate rulemaking on OAR 632-030 at the
57 September 9, 2019 Governing Board meeting to amend rule language relating to the submittal
58 requirements of a permit boundary survey map.

59
60 Houston stated the Department will develop draft rule language in the next few months and provide
61 an informational update to the Board at an upcoming meeting.

62
63 Proposed Board Action: No Board Action Required.

64
65
66 **Request 3 – Update of HB 2202 – High Value Soils Rulemaking**

67
68 Background: As you may recall, the legislature passed HB 2202 (2013 Regular Session) involving
69 aggregate mining on high value farmland in the Willamette Valley (ORS 517.825). The legislative
70 intent was to make sure operators mined deep enough to remove all the aggregate and thereby limit
71 impacts on high value soils. The Board authorized the Department to initiate rulemaking on
72 OAR 632-030 on September 9, 2019 to implement provisions specified in HB 2202.

73
74 Houston stated the Department is currently developing draft rule language. Steps include identifying
75 Rules Advisory Committee (RAC) members and convening a RAC meeting(s). The RAC provides input
76 on substance and language of the rule and provides input on the Fiscal Impact Statement. The
77 Department will provide an update to the Board at an upcoming meeting.

78
79 Proposed Board Action: No Board Action Required.

80
81
82 **Request 4 – Request to Initiate Formal Rulemaking on Alternative Dispute Resolution – Model**
83 **Rules**

84
85 Background: Under certain conditions the Department may modify an operating permit or
86 reclamation plan without the consent of the operator (ORS 517.831). If the Department modifies an
87 operating permit or reclamation plan without the consent of the operator, the department must
88 provide the operator with an opportunity for alternative dispute resolution in the manner provided
89 in ORS 183.502. Currently, OAR 632-001 does not provide an alternative means of dispute
90 resolution. The Attorney General’s (AG) Collaborative Dispute Resolution Model Rule is available for
91 adoption by reference.

92
93 Staff Recommendation: DOGAMI requests authorization to initiate formal rulemaking on OAR 632-
94 001 to provide an alternative dispute resolution procedure.

95
96 Houston explained this is a new request to initiate formal rulemaking on an alternative dispute
97 resolution, as this issue came up recently. DOGAMI does not currently have an alternative dispute
98 process, but the AG’s Office does have model rules, which can be adopted by reference.

99
100 Chair Maffei wanted the background on this request and why staff thinks it is necessary.

101
102 Diane Lloyd spoke to the statute that allows the Agency to modify an operating permit without
103 consent of the operator, which requires the Department to provide alternative dispute resolution as

104 an option. There are currently no procedures in place and something needs to be done. She
105 explained the AG's Office does have model rules that can be adopted without process, the same way
106 the Board adopted the Contested Case Model Rules.

107
108 Chair Maffei asked if someone invoked alternative dispute resolution. Cari Buchner explained this is
109 a preemptive move. The Department has a site they plan to impose a permit condition on
110 unilaterally and wanted to ensure they provided the opportunity for alternative dispute resolution.
111 Maffei asked if they know this permit condition is coming. Buchner answered yes, she has been in
112 contact with them.

113
114 Jeremiah asked if this was more an administrative aspect of the permit renewal, such as a due date
115 change, or is it an actual you cannot go beyond this boundary type situation. Buchner responded
116 that it is a depth of groundwater dewatering and ORS 517.835 gives DOGAMI the authority to impose
117 conditions for the protection of groundwater resources. This is specifically under that statute,
118 limiting the depth of dewatering without further study.

119
120 Maffei asked what the process is for alternative dispute resolution and what is required. Lloyd said
121 they do not provide full framework just the basics that are needed to submit one.

122
123 Jeremiah asked if there are any requirements to provide notification when an operating permit is
124 being amended. Buchner answered as a courtesy they notify them, but there are no statutory
125 requirements. Jeremiah said this is something DOGAMI may want to look into for fundamental
126 fairness to permittees, they should have opportunity for a notice. Houston asked for clarification if it
127 is providing pre-notification or some kind of notification process when the Department is taking a
128 corrective action or allowing a change to permit condition. Jeremiah said yes.

129
130 Board Action: **Kozlowski moved to authorize DOGAMI staff to initiate formal rulemaking on OAR**
131 **632-001 to provide an alternative dispute resolution procedure using the Attorney General's Model**
132 **Rules. Ashford seconded. Motion carried.**

133
134 **7) Civil Penalties:**

135 Sarah Lewis, MLRR Program Manager, said, as previously discussed, they have been developing their
136 Civil Penalty program. Lewis stated this is the first request for authorization to proceed with a Civil
137 Penalty to assess a fine of \$500 for a late payment on a renewal fee.

138
139 Lewis introduced Cari Buchner, Mining Compliance Specialist, to discuss the Civil Penalty being
140 brought to the Board for approval to proceed. Buchner said this respondent has held his permit since
141 2010, when it was transferred to him, and he has only paid on time once since taking it over. A
142 permit renewal notice was sent on August 1, 2019, which was due on August 31, 2019. On October
143 1, 2019, a Notice of Violation was sent out stating he was 30 days late and gave him another 30 days
144 to pay the renewal. On October 9, 2019 she spoke to him on the phone regarding a separate
145 compliance issue and reminded him that his renewal was late and could be assessed a Civil Penalty if
146 it was not paid at the end of the month. October 22, 2019 the Notice of Violation that was sent out
147 on October 1, 2019 was returned unclaimed. The respondent called and said he did not have the
148 renewal form because it was sent back, so she emailed him a renewal form that day and reminded
149 him that he could be assessed a Civil Penalty if not paid by October 31, 2019. On November 14, 2019
150 a Suspension Order was issued for failure to pay the annual renewal. Buchner called him to inform

151 him they were instating the Suspension Order. On November 15, 2019 he paid the fee to lift the
152 Suspension Order. She told him a Civil Penalty would be presented to the Governing Board for
153 approval. Buchner stated he is one of the chronic late payers, which is why they wanted to institute
154 Civil Penalties for this particular violation. Chair Maffei asked if the Board needs to approve each
155 one. Diane Lloyd said for the time being yes, since there is no history of DOGAMI doing this process
156 previously.

157
158 Ashford asked if this one is being treated differently than any other late payments and asked for
159 more context. Buchner said a new renewal policy has been implemented when instituting the Civil
160 Penalties and it was agreed that when calculating the penalties, they will only take into account if the
161 permittee has paid late at least once in the past 3 years. Depending on the history and circumstance,
162 a low or medium penalty would be assessed. Ashford clarified that criteria and guidance have been
163 established for rolling out the Civil Penalties. Chair Maffei stated the structure for assessing Civil
164 Penalties is new, but the Agency has had the authority and is now actually implementing it; this is the
165 first Civil Penalty presented to the Board.

166
167 Lewis stated there were zero late payments for both the July and September renewals, this is the
168 only one late for August. She believes the penalty program being in place has been excellent
169 preventative and proactive work on behalf of the Compliance Specialist and the program to get that
170 word out. Maffei asked how many renewals there were for July, August and September. Lewis
171 stated the approximate renewals are: July - 100; August - 80, September - 95; October - 110;
172 November - 65; and December - 55. For the July – September renewals, this is the only late payer.
173 Buchner said they have chronic late payers who are now paying on time.

174
175 Jeremiah asked questions about the Board being involved on approval for Suspension Orders instead
176 of Civil Penalties for late payments. Lewis explained a Suspension Order would not normally be the
177 next action for late payments. There were other extenuating circumstances regarding compliance
178 issues that actually brought on the Suspension Order and the renewal was a condition of his current
179 operating permit and when he failed to pay that, it triggered a Suspension Order because of the
180 other compliance concerns around the site. Maffei stated the staff have the authority to do a
181 Suspension Order based on a violation to protect the environment or human health.

182
183 Buchner explained the respondent had submitted an amendment application to amend his permit
184 boundary but when they overlaid his survey map, it was apparent he had been mining outside of his
185 proposed area and it went into State owned lands. He owed the State for the minerals he had sold
186 and for the trees he had cut down that belong to the Department of Forestry, and now he has to fix
187 issues with an unstable over steepened high wall, which will require further impacts to State land.
188 There are other agencies involved with helping him get a plan developed to remedy this situation.

189
190 Lewis handed out a revised Page 5 of the document, stating Section V was changed to explain the
191 penalty is being assessed as a single occurrence with the duration of the violation lasting for 15 days,
192 but does not change the amount of the penalty. She clarified the Board is being asked for
193 authorization to proceed, not actually approving that specific document.

194
195 Chair Maffei asked if a reason is known why the Certified Letter was returned. Buchner said his
196 Certified Letters chronically come back unclaimed.

197

198 Board Action: Jeremiah moved to approve the Civil Penalty with the amendment as presented.
199 Kozlowski seconded. Motion carried.

200
201 **8) Financial Report:**

202 Dania Ballard, Chief Financial Officer, presented the budget status report as of October 31, 2019 and
203 discussed the memo in the Board packet.

204
205 Ballard said for FY19, DAS has continued to process Accounts Payable and Accounts Receivable and
206 are still going through the effort. The drop dead date is December 31, 2019. A final fiscal year report
207 will be presented at the next board meeting in March.

208
209 Ballard pointed out for General Fund there is currently showing an anticipated negative (deficit)
210 amount due to capacity and classification issues. Ballard explained there were new grants that
211 started in July but did not have the financial structure setup, so staff was using General Fund as an
212 expense account and those charges need to be reclassified and the expense transferred
213 appropriately to Federal or Other Fund money. The Agency's costs are higher than anticipated so
214 cost cutting/reduction measures have been established for services and supplies, and limiting travel.
215 She expects not to have a deficit at the end of the year but to be whole and stay within budget.
216 Chair Maffei asked questions regarding classification issues and how much it was. Ballard answered
217 she was not positive but thought it is about \$90,000.

218
219 Kozlowski asked how the staff is taking the changes. Ballard said she believed the staff are remaining
220 positive with all the changes and are looking at ways to reduce costs. Her perception is there is a
221 greater sense of transparency and a greater understanding of what is actually happening, therefore
222 they are more engaged to help everyone be successful going forward. Avy confirmed the email
223 regarding General Fund restrictions that was sent to staff, was also sent to Board members.

224
225 Ashford asked who approves the use of General Fund until the federal grants are setup and if there is
226 a limit on the amount, to ensure the Agency does not get too far ahead. Ballard stated the approval
227 process is part of the budget approval and explained the details of how things are currently being
228 handled. Avy gave a recent example using DAS GEO. The Leadership Team allowed staff to work on
229 grants using General Fund while the Agency was awaiting the signed document, but it was based on
230 an email approval from DAS GEO saying the requested changes of no match and allowing indirect
231 charges were going to be accepted.

232
233 Chair Maffei asked if the signed agreement needs to be received before work can be started or
234 accounts setup. Ballard explained how the process works. Kozlowski asked if training and travel are
235 being added to the grants and are there other charges that will be charged to General Fund. Ballard
236 said that some items can be added to a grant if it is expected to be part of the grant work. She also
237 gave an example of Houston charging his travel to General Fund due to the Agency needs. Kozlowski
238 asked if there are any plans in place to prioritize the approval of travel and training charged to
239 General Fund. Ballard explained the requirement to reduce all costs and that no travel is being done
240 at this time and any exceptions are being reviewed carefully by Director Avy before any justification
241 is approved. Ballard provided an example, stating the Board only has coffee and water today, where
242 last meeting included food.

243

244 Ashford said he is happy with the process, that it seems clean, and asked in the future for someone
245 new working for the Agency that more oversight is provided on charges.
246
247 MLRR is projecting an ending balance of \$65,000, which is low due to the Calico settlement being less
248 than anticipated and the fee increase has not been done yet.
249
250 The Strong Motion Instrument Fund is about \$326,000, which is normal. The Reclamation Guarantee
251 Fund added four new cash securities, so the balance is about \$720,000.
252
253 Ballard said Jack Kenny is still here at the Agency working on the mandatory grant reporting
254 requirements. All the overspent grants that were identified in FY19 have been closed. Kozlowski said
255 she really appreciates the summary report memo that contains the details with the backup.
256
257 Ballard discussed the Business Office recruitment. She introduced Belinda Sautao, the Agency's new
258 Grant Accountant, who started today and came from DEQ, where she spent 5 years. Sautao
259 introduced herself. She originally came from Alaska and worked with the State there as well. She
260 was a Contracts and Grant Accountant at DEQ. Maffei asked what her role will be. Ballard explained
261 she will take over the grant reporting and the monthly project financials for project managers to keep
262 things on budget, and processing the payables. [Ms. Sautao decided to return to DEQ.]
263
264 Jeremiah asked what the additional overall spend is for the new staff and the DAS Services used.
265 Ballard explained that each business office staff person is about \$7,500 per month and about \$22,000
266 per month General Fund consumption which is built into the projections going forward. She said Jack
267 Kenny will drop off around the end of December. DAS services will also be reduced. These roles will
268 be key to ensure the Agency does not go overbudget.
269
270 Jeremiah asked about the \$650,000. Ballard explained the Agency received an additional \$650,000 of
271 General Fund in FY19 to cover budget overspend and the entire amount has been consumed.
272 Kozlowski asked about the need for reducing the number of employees to cover the new positions.
273 Ballard explained in FY19 the Legislature reduced positions on the science side that helped free up
274 General Fund to help support the Business Office.
275
276 Ballard said they interviewed for a Contract and Procurement Specialist, made an offer, and is
277 expecting an answer back today. They also did second-round interviews for the Fiscal Analyst role
278 and are facilitating reference checks. Maffei asked what the positions do. Ballard explained the need
279 for internal controls and to have one person that pays expenses and one that receives the funds; one
280 person should not do both. The Grant Accountant processes all the grant reporting and the paying of
281 the bills. The Contract and Procurement Specialist will draft the contracts, working with other
282 agencies and partners to write the contracts, administering the contracts while assuring the project
283 manager is getting a project done according to the terms of the contract. The contract person is
284 going to be looking at the key delivery dates, key pay points, key pieces and actually produce the
285 invoicing, which is an accounts receivable function to ensure the Agency gets paid on the contracts,
286 and facilitating other accounts receivable activities. Jeremiah asked if this is a permanent plan or just
287 to get the Agency over the rough spot. Ballard replied it is permanent. The Fiscal Analyst oversees
288 everything else regarding the Agency's needs, including ad hoc analyses, analyses on project budgets,
289 and to develop strategy to ensure that grant seeking matches personnel skill capacity.
290

291 Ballard explained the Fiscal Analyst position and their role in more detail. Maffei asked if this person
292 will help determine if grants should be gone after. Ballard said they can help facilitate it, but the
293 Agency already has created a tool to help with this aspect.
294

295 Jeremiah asked if there is a comparable agency that DOGAMI could look to, what is their ratio, and
296 are they running successfully. She said she was having a hard time swallowing the ratio of people.
297 She understands the need and understands the Agency got into big trouble and that it has to do
298 something to fix it. Jeremiah said for her to swallow this as a permanent plan just seems like a lot of
299 overhead for an agency and she is looking at the deficit the Agency is trying to cover. She feels like
300 the Agency is limiting the amount it can do, just so that it can have proper financial controls in place
301 that maybe could be done by fewer people.
302

303 Ballard replied she thinks it is a great observation and just on the surface it appears top heavy. One
304 of the things that is unique about DOGAMI, in particular as a small agency, is the amount of grants it
305 has to have in order to actually survive. Last year and the year before last, when they were looking at
306 comparisons, there is not a small agency who has the level and volume of grant activity that DOGAMI
307 has, and so that was one of the justifiers to actually get this grant position in place. Doing a straight
308 comparison from another agency to DOGAMI is difficult. She said there is somewhere between 35
309 and 40 active grants the Agency has right now. Most people who facilitate grant activity do not have
310 35 to 40 grants to actually manage, but this is what is needed for this Agency. With that being said,
311 this is a case of room for improvement in anything the Agency does, and they are going to do their
312 best to look at how they can make things more efficient as they go. She does not know what the
313 future is going to look like as a whole, but this is what is needed to make the Agency work now.
314

315 Ashford said the Agency should not be in a position where it needs to go after grants to cover the
316 costs of the new grant staff salaries. Kozlowski said she appreciates Jeremiah's question and her
317 understanding is the Agency has changed the financials from a less than adequate financial oversight
318 to a really strong financial oversight, that the Legislature has required of DOGAMI and does not
319 believe there is much choice. She does think moving forward it will be important to balance it, but
320 keeping the finances accurate and the Legislature in support of DOGAMI is critical. In addition,
321 Kozlowski said the Agency needs to be really careful about ensuring the financial information is
322 accurate and it has the personnel to make sure that it is. Ballard said she agreed with the statement,
323 saying the Agency is still building the foundation to determine what the appropriate monitoring
324 requirements will be, not just the accounting process. Maffei stated the staffing is required by the
325 Legislature. Jeremiah said as a temporary plan she is behind it but not necessarily as a permanent
326 plan.
327

328 Chair Maffei said certainly the Agency does not want to end up on the short side of Business Office
329 capacity, but thinks what is sometimes missed in all this discussion is, if DOGAMI has sufficient
330 capacity not to get in trouble, it in effect is bringing in a third of the Agency's budget through federal
331 grants. Which is money that is not coming out of the State General Fund. She views it a little bit as
332 an investment, and a little higher investment in the General Fund in order to get the return on all
333 that federal work, which is a good check of the work the Agency does and an important part. She
334 said will the Board want to monitor it ongoing, absolutely. If the Agency ever gets to a point where
335 the Board feels like it is overstaffed in the Business Office, they can then address that. Maffei stated,
336 that as Kozlowski already said, DOGAMI is kind of required to do this by the Legislature anyways, so it
337 is not like the Agency has a whole lot of choices.
338

339 Jeremiah said she is just now concerned to have it be permanent if reading it correctly between the
340 divisions, the Agency's revenues as a whole are \$6, 7, 8 million for the whole Agency and looking at it
341 from a business standpoint, to have four finance staff FTE to manage \$8 million seems excessive as a
342 permanent plan. As a temporary plan she is in full support. She just hopes that the Agency can right
343 the ship and then continue to reevaluate whether it is really necessary. Kozlowski agreed that it
344 makes sense.

345
346 Ballard discussed the Grant Budget Monitoring Tool and how it works. This tool has helped them
347 identify gaps and meet the capacity needs. This also helps facilitate what the Agency goes after for
348 work. Kozlowski asked who is tracking it. Ballard said the supervisors, herself and DAS CFO. Ballard
349 talked about using the tool for the monthly meetings with project managers.

350
351 Ashford stated they only used about half the time to discuss the financial report and appreciated the
352 efforts Ballard has been making. Chair Maffei agreed, stating the summary memo is helpful.

353
354 Board Action: **Jeremiah moved to accept the Budget Status Report as presented. Kozlowski**
355 **seconded. Motion carried.**

356
357 **Break**

358
359 **9) Public Comment:**

360 Chair Maffei asked for public comment.

361
362 Comment of Amira Streeter, Governor's Office Natural Resources Policy Advisor: Streeter said she
363 wanted to give a little preview of the Strategic Plan they are thinking of in the Governor's Office. It
364 includes multiple options and alternatives they are considering right now. A letter will need to be
365 turned in highlighting the direction they are going for the Agency by January 17, 2020, and will
366 include a few more details. She said it is a little tricky since DOGAMI is making a lot of progress now.
367 They are balancing the progress DOGAMI has made with what else the Agency needs to be successful
368 in both the long-term and short-term future. Streeter stated DOGAMI's current main mission is to
369 provide earth science information and regulation. She does not think there will be changes to that
370 aspect but in doing research on DOGAMI, she stated there have been a lot of ups and downs in the
371 Agency's history from its first inception with a State Geologist. She thinks the vision may require a
372 rebranding of the Agency and aligning the Department more towards the science side. She discussed
373 the potential plan and the amount of funding needed to be successful. Other alternatives include
374 possibly moving the Agency closer to Salem.

375
376 In recent years, natural hazards and risk assessment have been the growing core work for DOGAMI.
377 DOGAMI currently has a Strategic Plan that ends in 2021, so this is actually very good timing. The
378 Strategic Plan would go on for 6 years from 2022-2028.

379
380 Streeter said she divided up the alternatives into Plan A and Plan B. Plan A being DOGAMI continues
381 as usual in its structure, with just maybe a few tweaks in how it operates. Potential for right sizing is
382 something that is being discussed right now considering what is the amount of funding that DOGAMI
383 really needs to be successful and how does that impact the types of grants it goes after, the staff and
384 professions that are within the Department. Then to potentially move the offices to be closer to

385 Salem or in Salem; helping keep the Agency whole with right sizing and closer to other agencies in
386 Oregon's capital.

387
388 Under Plan B, it is possible that DOGAMI could move under another natural resource agency. An
389 alternative would be to move the mining program into an agency and the GS&S portion into a natural
390 resource agency or university. Streeter said this is the broad overview and she would love to know
391 the Board's perspective and to get their feedback. In the past, around 5 years ago during Kitzhaber's
392 administration, this last alternative had been considered.

393
394 Chair Maffei said it was actually almost exactly 5 years ago because it was early December 2014, the
395 Governor's Budget came out with the suggestion that DOGAMI was going to be disbanded and she
396 thinks people got a little freaked out.

397
398 Streeter said no decisions have been made at this point, but these are the things that are brewing in
399 their office.

400
401 Chair Maffei said for the record, she met with Streeter in October to provide her perspective/input
402 and she sent out a note to the rest of the Board to invite them to contact Streeter to discuss strategic
403 planning for DOGAMI and provide their input as well. Maffei asked when Streeter thought she would
404 have an idea of when a recommendation by the Governor's Office would be made for the January
405 17th letter. It was decided she would provide an update to the Board if they held a Special Meeting
406 on the afternoon of January 10, 2020.

407
408 Streeter provided more context as to why she was thinking about these alternatives. In looking at
409 what has been discussed in past years with DOGAMI, plus looking at what other states are doing and
410 which state has a model that is an easier jump from where DOGAMI is now. Of other states,
411 including Washington, Idaho, and California, California has a Department of Natural Resources,
412 where geology is under their purview. Washington is university connected, and Idaho is connected
413 with the university as well, but their structure is very similar to what DOGAMI is currently doing. She
414 is taking a really close look at Idaho.

415
416 Jeremiah asked if the January 17th letter will be the definitive selection of a plan and the direction
417 the Governor's Office is going with the other options no longer to be considered. Streeter said it will
418 be the direction the Governor's Office will go to present to the Legislature, but there is room for
419 conversation and could be changed by the Legislature. Jeremiah said her concern is that the Agency
420 is going down the route of planning for Alternative A and has expended significant State resources
421 and has a plan in place to expend further resources to make that work. The Agency seems
422 committed and everyone in the room has agreed to that plan. Jeremiah has grave concerns about
423 the carpet to be threatened to be pulled out from underneath it before there is even traction on that
424 plan. Let it go in the one direction and let the agency get stable. Jeremiah does not want to speak
425 for people who know more than she does about how long that is going to take, but she feels like
426 every time the Agency thinks it gets somewhere there is a shift of direction, so it never gets traction
427 with the plan and it just seems very wasteful to continue to change directions. She said it was noted
428 regarding staff retention and it becomes really difficult when there is constant uncertainty.

429
430 Streeter said she really appreciates that comment, and that is why she labeled it as Plan A. She wants
431 to get the agency stable as well but thinks in terms of presenting to the Legislature they would
432 appreciate the range of alternatives.

433
434 Kozlowski asked Streeter if she is going to present all four alternatives to the Legislature or select a
435 preference. Streeter replied she will select a preference.
436
437 Kozlowski asked how will the DOGAMI Board have any input on that, or if there will be any
438 conversations around it. Streeter said she was not sure how that will work, besides just talking to
439 her. She will figure that out.
440
441 Kozlowski said if she understands it, that they are looking at this from a 30,000 foot point of view. A
442 movement more towards the science, maps and publications and moving away from mining, the
443 mining industry and asked if that is correct. Streeter replied yes, but moving it away from the mining
444 aspect is not exactly what she meant. Kozlowski asked if she meant deemphasizing. Streeter
445 answered yes.
446
447 Kozlowski said she really agreed with Jeremiah in terms of where the Agency is now. She thinks it has
448 made huge progress. She and Streeter have had conversations particularly around staffing and the
449 commitment of staff to make these changes which has been significant. She hopes there is a way for
450 the Board to have some input in this process, because they work with it a lot and she thinks they
451 know a lot about the flaws and the strengths of the Agency. The change over this last six months to a
452 year has really been significant, and people have stepped up and put systems in place to make sure
453 that we move forward.
454
455 Streeter stated yes, it definitely seems like it, and also being given a 1-year budget, DOGAMI is now
456 starting to really get on track and it is almost like a 6-month progress report.
457
458 Kozlowski asked if the 2022-2028 is like Step 1 of beginning that Strategic Planning process. Streeter
459 said yes. Kozlowski reiterated again that it would be great if the Board could have some input into
460 that process.
461
462 Streeter said she did not know how the Strategic Plan was developed the first go around, but she will
463 talk to Avy about that and figure out what the process would be to inform a new one.
464
465 Avy said it was already in place when he came into the Agency, but his understanding is an outside
466 consultant was engaged to create it and that it included input from outside stakeholders. Maffei
467 explained it was adopted in 2015/2016 so it was already well on its way in 2014 when she joined the
468 Board. It was developed by a consultant and Ali Ryan led the process. The Agency does not have a
469 public outreach person now, so it would have to figure out how that would work. The information
470 was presented to the Board, the Board gave feedback, there were a number of iterations. She also
471 understands the document they came up with was not a strategic plan, because there is not really a
472 plan, it was a strategic vision and this time around the Agency needs to actually have a plan to go
473 with it. Avy said it was changed/renamed from a plan to a framework. The reason for that was it did
474 not have implementation items. The Agency had started down that path when Ryan took another
475 position and then DOGAMI lost Ryan's position. Maffei said it is a lot of work to come up with an
476 actual plan with implementable action items that go into it, but it is something this Board is going to
477 have to take on if they want to have it ready for 2022.
478
479 Jeremiah said just to be blunt she thinks the other piece that needs a lot of reflection on is the path
480 the Agency took to get to the financial position that it was in. It is her understanding it was a

481 personnel issue and making all these dramatic changes does not necessarily prevent future personnel
482 issues. She does not think it was really an Agency structure issue, and so in her opinion she thinks
483 that they can spend all kinds of money going and changing direction to any of the other three
484 alternatives, but it does not guarantee that they are going to continue to solve the same problem
485 that it had before. Because you had the problem, it was resolved, and then you had it again.
486

487 Chair Maffei replied it was not fully resolved, but because the issue with the Agency is in the last 10
488 years. She said she does not share with the Board all the emails she gets from people saying, "Hey
489 this was never like this in 1999." She is thinking because everything was different in 1999. But when
490 the Agency switched over from being mostly General Fund to relying so heavily on grants, it changed
491 everything, and it has taken 10 plus years for them to figure it out. When you are a General Funded
492 agency, you have to keep track of your budget, but General Fund is a much bigger pot of money.
493 Keeping track of the grant spending has been something the Agency had not done very successfully
494 until recently.
495

496 Kozlowski asked if the percentage of grants that DOGAMI has been relying on to fund the Agency
497 increased significantly. Maffei answered the amount of money that the grants fund has, the actual
498 dollars, plus the number of grants. She said the Board has heard it many times in these Board
499 meetings, DOGAMI is just not like other agencies at all and so they know it has been an ongoing
500 problem. It is something the Agency thought it solved in 2015/16 but clearly that was not the case.
501 She thinks it is because it took the microscope that DOGAMI has had on it for the last 6 months to
502 really figure out and inherently know what the problem was. She thinks it was the same problem the
503 Agency had in 2014 and they put a band aid on it, but it did not fully solve it.
504

505 Jeremiah responded that moving the Agency into another agency is not the same and it does not
506 solve the problem. Maffei said DOGAMI is still going to need grant money. The scientists are still
507 going to be funded by grants. Jeremiah said in her opinion it further complicates it. Where the
508 Agency has a pretty clear path forward, with a lot of smart people who put their efforts into making
509 sure that it is setup for success, she has great concerns about compounding it.
510

511 Chair Maffei said another thing is that the sciences done in this Agency are not like the sciences done
512 in neighboring states. She does not know about California so much, but Washington and Idaho do
513 not have the same level, she thinks, of scientific brain power that DOGAMI does here. She said
514 Washington hired DOGAMI's lidar people because it was an issue that they do not have the same
515 capacity to do what the Agency does, and so it is inherently different from some of the neighboring
516 states.
517

518 Kozlowski asked for the last Strategic Plan, how much did the Agency partner with the Governor's
519 Office. Maffei said she did not think there was a whole lot of back and forth with that. She did not
520 remember specifically, she was just coming new on the Board. It was drinking from a firehose
521 anyway, but she does not think there was a ton of communication with the Governor's Office at that
522 time. Kozlowski said she thinks that partnership would be really important.
523

524 Avy asked Streeter, if you look at the budgeting process, when the Governor endorses a particular
525 budget, everybody is to support that in agency land. He asked once she makes her recommendation
526 to Ways and Means what latitude does the Board have to weigh in at that point.
527

528 Streeter replied there is expectation that the Board will come in line with the Governor's Office. She
529 is not sure what the Board's participation is on advocating for a budget or even engaging with the
530 Governor's Office. She thinks this is a very special case, so there may be more opportunity than in
531 the past and she would love to just follow-up with Board members and give them a better
532 understanding of where they can. She stated this is already really helpful.

533
534 Jeremiah asked for Ashford's input on incorporating the Agency into a university. Ashford said the
535 universities have the strong research focus, so grant work is done at many of them, but their budgets
536 are being tightened and is concerned there would be a false belief of cost savings by this choice. He
537 thinks there would be a high potential for loss of technical staff of moving it to Salem and that
538 Portland is a better area for qualified staff. He asked if there are other agencies that could do the
539 MLRR regulation work, because the work they do is very important.

540
541 Ashford said his thoughts mirror/echo the other Board members about all the work and progress
542 being made by the Agency and it speaks well to its direction.

543
544 Teeman said it was a little overwhelming and there are a lot of questions and detail that are still not
545 available.

546
547 Kozlowski brought up the statewide meetings being held for HB 3309 and asked Streeter to reflect on
548 what she has learned and her thoughts. Streeter said she has been getting good feedback about
549 DOGAMI doing an excellent job of consulting with different communities and doing work to help
550 them be tsunami prepared. But there is still a lot of work that needs to be done in terms of cross
551 coordination with different entities, municipalities, agencies, and community groups. She thinks
552 there is opportunities for legislators and the Governor's Office to also co-collaborate and do different
553 things to help coastal communities. Work is being done but needs to be coordinated better.
554 Kozlowski asked if a report will be generated after the third meeting that discusses the outcomes and
555 perceived next steps. Streeter answered yes.

556
557 **10) MLRR Update:**

558 Sarah Lewis, MLRR Program Manager, provided an update on MLRR.

559
560 [Lewis handed out a packet that included the ENGAGE Winter newsletter being sent out and can also
561 be found online: <https://www.oregongeology.org/mlrr/engage.htm>]

562
563 Permit Status Summary

564 Lewis reviewed the detailed list of permits. There are 24 current applications, and they have reduced
565 the amount of time it takes to process them. It is taking less than a year to complete these, with the
566 average time being about 8 months. She gave kudos to Nick Tatalovich, Vaughn Balzer, Ben Mundie
567 and Bob Brinkmann for getting the sites through the permitting process in a timely manner.

568
569 Lewis stated this quarter there was a shift away from transfer applications to new applications; this is
570 common as they enter the winter timeframe where quarry operations and mining operations slow
571 and close for the winter depending on their permits. Some permittees shift to start working on new
572 projects or amending current projects during this time.

573

574 Lewis said that compliance actions related to late payments are down. The graph also reflects the
575 fluctuation of the program's revenue based on permit renewal and production fees. This introduces
576 some variability into the monthly revenue stream, which is one reason why it is important to have a
577 cushion from year to year.

578
579 Lewis briefly discussed the compliance actions being worked on. The focus for Civil Penalties is on
580 non-payment of fees and those mining without a permit. Jeremiah asked what the process is for
581 identifying those. Buchner answered they use a lot of tools including aerial imagery review and
582 complaints. There is a lot of investigation done to determine if it falls within MLRR's jurisdiction or is
583 covered by another agency. Then a Notice of Action is provided to them that asks for a response for
584 information on their activities, which include whether they are exempt, will be applying for a permit,
585 or will cease mining. This is the program's first step in compliance of asking nicely first and if no
586 response then escalating to a Notice of Violation. If no response after that, then a Civil Penalty may
587 be appropriate.

588
589 Lewis discussed the new Winter newsletter that went out last week. Staff have been working to
590 include information on topics they get a lot of phone calls and questions about or where they feel
591 there are miscommunications or misunderstandings and want to address.

592
593 Lewis informed the Board that DOGAMI has signed a new Memorandum of Agreement (MOA) with
594 DEQ regarding the Delegation of Authority for the Stormwater Permit program. It has been updated
595 to reflect current expectations and practices of how things are being done. DOGAMI will be receiving
596 5% more of the DEQ fees for administering the program and it increases 3% every year. Chair Maffei
597 wanted to clarify that the fees are paid to DEQ and then DOGAMI is paid for administering the
598 program, through this agreement. Lewis answered yes. Kozlowski asked how much the fee is. Lewis
599 said there are different types of permits and did not want to misspeak the amounts, but it covers one
600 staff member's salary for a year.

601
602 Lewis shared that as part of the KPMs for Customer Service, MLRR received 49 responses, with 18
603 people leaving comments and 17 of them being positive. She stated the program is getting positive
604 feedback even though changes are being made that require more of the permittees and applicants.
605 She read three of the comments to the Board.

606
607 Comment 1: "Excellent, dedicated, brilliant staff that are always responsive and a pleasure to work
608 with."

609
610 Comment 2: "Sometimes I do not get the answer I think is right, but it is delivered professionally and
611 without prejudice."

612
613 Comment 3: "While I did not apply for a permit this year, I've had some operators apply for mining
614 activities on property I manage. They all said they were pleased with the service they received.
615 Personnel with the Agency were willing to accomplish the many complicated tasks required, with skill
616 and good communication."

617
618 Briefing: **No Board Action Required.**

619
620 **11) Grassy Mountain Update:**

621 Sarah Lewis, MLRR Program Manager, provided the Grassy Mountain Update.

622
623 Lewis said they had been working with Calico to come up with a settlement agreement that was
624 signed in September. A Cost Recovery Agreement was signed with Calico on November 14, 2019 and
625 the Agency received final payment the same day. On November 15, 2019 a Consolidated Permit
626 Application for the Grassy Mountain Project was received via hand delivery. She discussed the
627 Consolidated Permit Application process, which DOGAMI has 90 days to determine if it is a complete
628 application. The entire application is posted on the Agency website for anyone to review. She has
629 been receiving excellent cooperation from the partner agencies also responsible for contributing to
630 the completeness review. There are cost recovery partners that include the Department of
631 Environmental Quality (DEQ), Water Resources Department (WRD), and Department of Fish and
632 Wildlife which have important roles in the review process. DEQ and WRD have individual permits the
633 applicant is submitting to them directly. DOGAMI is responsible for overseeing the entire process
634 and ensuring the process is followed appropriately. Lewis is utilizing inhouse staff as much as
635 possible. The Agency will be contracting out services for project management, meeting facilitation,
636 meeting minutes, and compilation of both public and technical comments which will be returned to
637 the applicant. The deadline for all that is February 19, 2020. This is just the beginning of the process
638 and she is looking at recruiting for a Project Manager, which will be a technical position focused on
639 chemical process mining.

640
641 Kozlowski asked if Lewis felt they would meet the timelines outlined. Lewis said yes. Maffei asked
642 Lewis how much of her time is spent on this project compared to managing MLRR. Lewis answered
643 about 50% since receipt of the application.

644
645 Lewis said they are also working on an MOU with Calico for establishing expectations and
646 communications around project reporting and management.

647
648 Lewis noted that a lot of the permit specific work will be handled by DEQ. There are important
649 permits that need to be in place and are administered by DEQ. MLRR will have an aggregate permit,
650 and will write the overall permit and the permit conditions.

651
652 Briefing: **No Board Action Required.**

653
654 **12) GS&S Update:**

655 Bill Burns, Acting Earth Science & Remote Sensing Supervisor, provided an update on GS&S.

656
657 Burns discussed general staffing, saying John Bauer left the Agency in October, which means two
658 staff have left on their own accord since the layoffs. Most of the staff are at capacity working on
659 externally funded projects reducing the General Fund burn, and the stress felt in the Department.
660 Kozlowski asked if Bauer's work has been reassigned. Burns said yes.

661
662 Burns stated the lack of a Program Manager and Business Office staff/capacity continues to make
663 effective project management difficult. The current supervisors will be kept on for the near term to
664 keep things stable. The email from Director Avy regarding the reduction of expenses and general
665 direction for DOGAMI was well received by staff. He believes this is because a combination of an
666 email being sent out and then an in-person discussion took place to answer questions.

667

668 Burns said work on existing proposals, projects and publications is getting done, despite the loss of
669 the two staff members. He is continuously impressed by the staff with their efforts. He went over
670 the list of new projects, publications and proposals since September's Board meeting.
671

672 Projects:

673 **Compilation of Statewide Tsunami Data; Interagency Agreement: \$86,151; Funder: DAS GEO**
674 To develop new statewide tsunami spatial geodatabases of Oregon tsunami modeling data. The
675 project proposes to integrate existing disparate tsunami datasets into a suite of standardized
676 geodatabases. An Open File Report (OFR) describing the data will be published along with the
677 data.
678

679 **Oregon Coast Watershed Boundary Dataset (WBD) Lidar Derived Feature Update; Interagency**
680 **Agreement: \$113,348; Funder: DAS GEO**
681 Sixteen subbasins for the Oregon Coast and Klamath Basin will be updated in this project. This
682 fundamental dataset is used to maintain many other framework elements with many areas that
683 are deficient with respect to spatial accuracy.
684

685 **Statewide Building Footprints Project; Interagency Agreement: \$119,441; Funder: DAS GEO**
686 Aggregate all building footprint datasets within the state of Oregon into a single dataset. For
687 areas with redundant building footprint coverage, data quality will be determined based on
688 mode of digitization and source data quality and age. The aggregated dataset will serve as a
689 "starting point" from which a workgroup can direct future efforts of data improvements and
690 attribution.
691

692 **Oregon Earthquake Database; Interagency Agreement: \$107,927; Funder: DAS GEO**
693 The purpose of this project is to develop an updated, maintainable statewide earthquake
694 hazards geodatabase for Oregon which combines the best available earthquake and co-seismic
695 geohazard data that are derived from a consistent methodology.
696

697 **Technical Assistance and Outreach Support of FEMA Risk Map in Oregon; Federal Grant:**
698 **\$57,304; Funder: FEMA**
699 The purpose of this project is to provide technical assistance at FEMA meetings: Discovery,
700 Resilience, NHMP.
701

702 **Baker, Grant, and Clatsop NHMP; Interagency Agreement: \$10,080; Funder: DLCD**
703 DLCD requests publication assistance and expertise for Natural Hazards Mitigation Plan (NHMP)
704 documents being prepared for 1) Baker and Grant Counties and 2) Clatsop County. Deb's tasks
705 are to 1) train DLCD staff in use of the DLCD style and template, in the format developed
706 previously by DOGAMI and DLCD, 2) consult as needed during the DLCD writing process, and
707 3) copy edit the documents as described in the Project Estimate.
708

709 **Oregon State NHMP; Interagency Agreement: \$30,000; Funder: DLCD**
710 DLCD requests publication assistance and expertise for the Oregon State Natural Hazards
711 Mitigation Plan (NHMP).
712

713 **Grant & Baker Natural Hazards Risk Assessment; Interagency Agreement: \$34,000; Funder:**
714 **DLCD**

715 DLCD requests DOGAMI to perform natural hazards risk assessments for Grant and Baker
716 counties.

717
718 **Natural Hazard Risk Assessment for State-owned Buildings; Interagency Agreement: \$20,000;**
719 **Funder: DLCD**

720 The Oregon Department of Land Conservation and Development has asked DOGAMI to conduct
721 natural hazard risk assessments for the state-owned buildings with the state for their FY2020
722 Oregon Natural Hazard Mitigation Plan grant. Updating the state-owned buildings dataset,
723 identifying those which are critical facilities, and producing hazard maps and table of results are
724 the primary tasks involved in this project.

725
726 Publications:

727 **Preparing for Landslide Hazards, A Land Use Guide for Oregon Communities**

728 By Sears, T.R., Lahav, M., Burns, W.J., McCarley, J., 2019. Oregon Department of Land
729 Conservation and Development (DLCD), [https://www.oregongeology.org/Landslide/Landslide-](https://www.oregongeology.org/Landslide/Landslide-Hazards-Land-Use-Guide_FINAL.pdf)
730 [Hazards-Land-Use-Guide_FINAL.pdf](https://www.oregongeology.org/Landslide/Landslide-Hazards-Land-Use-Guide_FINAL.pdf)

731
732 **Post-fire rockfall and debris-flow hazard zonation in the Eagle Creek fire burn area, Columbia**
733 **River Gorge, Oregon: A tool for emergency managers and first responders**

734 By Calhoun, N.C., Burns, W.J., Hay, S., Staley, D.M., Kean, J.W., 2019., Proceedings of the
735 seventh international conference on debris-flow hazards mitigation, Golden, CO, USA, June 10-
736 13, 2019. <https://dfhm7.csmspace.com/docs/DFHM7ProgramFull.pdf>

737
738 **Tsunami evacuation analysis of Newport, Lincoln County, Oregon**

739 By Laura L. S. Gabel, Fletcher E. O'Brien, and Jonathan C. Allan, DOGAMI Open-File Report O-19-
740 05, Preview: <https://www.oregongeology.org/pubs/ofr/p-O-19-05.htm>

741
742 **Tsunami evacuation analysis of Lincoln City and unincorporated Lincoln County: Building**
743 **community resilience on the Oregon coast**

744 By Laura L. S. Gabel, Fletcher E. O'Brien, John M. Bauer, and Jonathan C. Allan Open-File Report
745 O-19-06, Preview: <https://www.oregongeology.org/pubs/ofr/p-O-19-06.htm>

746
747 **Tsunami evacuation analysis of communities surrounding the Coos Bay Estuary: Building**
748 **community resilience on the Oregon coast**

749 By Laura L. S. Gabel, Fletcher E. O'Brien, John M. Bauer, and Jonathan C. Allan Open-File Report
750 O-19-07 Preview: <https://www.oregongeology.org/pubs/ofr/p-O-19-07.htm>

751
752 **Tsunami evacuation analysis of some unincorporated Tillamook County communities: Building**
753 **community resilience on the Oregon coast**

754 By Laura L. S. Gabel, Fletcher E. O'Brien, John M. Bauer, and Jonathan C. Allan Open-File Report
755 O-19-08, Preview: <https://www.oregongeology.org/pubs/ofr/p-O-19-08.htm>

756
757 **The Scarp Identification and Contour Connection Method (SICCM): A Tool for Use in Semi-**
758 **Automatic Landslide Mapping**

759 By Michael Bunn, Ben A. Leshchinsky, Michael J. Olsen, Nancy C. Calhoun, Jon J. Franczyk, and
760 William J. Burns. Special Paper 52 Learn more and download the publication from the preview
761 link. <https://www.oregongeology.org/pubs/sp/p-SP-52.htm>

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Proposals and Potential Projects:

National Tsunami Hazard Mitigation Program (NTHMP) FY20; Federal Grant: \$400,000; Funder: NOAA

To maintain local outreach programs and coordinate mitigation actions, state leadership is critical for focusing support on communities most in need of help and providing a central repository for tsunami mitigation information. DOGAMI and OEM work in partnership to provide the needed leadership and strategic support critical for building resilient coastal communities on the Oregon coast.

Oregon Coast Resilience Plan; Federal Grant: \$400,000; Funder: OEM-State Homeland Security Program

The goal of this proposed project is to produce an Oregon Coast Resilience Action Plan to guide future development of a coastwide Cascadia disaster “infrastructure backbone”. The Plan would build on work completed for the Oregon Coastal Hospital Project that supported the eleven coastal hospitals to effectively plan for Cascadia earthquake disasters to improve the reliability of medical services. This project would also help protect Oregon’s major coastal communities.

STATEMAP FY20; Federal Grant: \$300,000; Funder: USGS

Geologic mapping in the Walla Walla Basin, northeast Oregon approved, funded by OWRD, and started. Will be rolled into STATEMAP program for FY20 and remaining OWRD state funds used as the program match component. Maps produced from this project will be submitted as FY20 STATEMAP deliverables. Project proposal also includes continued mapping in the mid-Columbia, Harney, and the Prineville area.

South Coast Lidar; Federal Grant: Up to \$3M; Funder: BLM

DOGAMI anticipates BLM to add \$627,000 to the initial grant agreement. This initial money will be used to finish the south coast project.

Upper John Day Lidar; Federal Grant: \$400,000; Funder: USGS 3DEP

Oregon Lidar Consortium (OLC) project that would acquire 2,711 square miles of new lidar in central Oregon. The lidar will be collected in Wheeler, Grant, Union, Umatilla, and Baker counties.

Harney Silver Lidar; Federal Grant: \$189,558; Funder: USGS 3DEP

Oregon Lidar Consortium (OLC) project called OLC Harney Silver 2020. In 2017 and 2015, DOGAMI's Oregon Lidar Consortium (OLC) program acquired 1,292 square miles of Quality Level 1 (QL1) non-3DEP lidar over portions of the Silves, Silver and Donner and Blitzen wathersheds within Harney County, Oregon.

Chair Maffei asked if the new project proposals need to go to the legislature for approval. Avy said four have already been approved by the legislature in November and the other two may go during the upcoming session.

Jeremiah asked about the Program Manager position that was filled by Alyssa Pratt, who took a rotation outside the Agency. Avy explained the position has been put on hold; there is a vacancy that

809 is not being filled at a lower level, which needs to remain open pending Alyssa’s decision at the end
810 of the rotational year on whether she returns.

811

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

813

814 **13) Director’s Report:**

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

816

817 Avy wanted to acknowledge the tremendous work of staff during this challenging and stressful time.
818 Relief of the three additional Business Office positions will be felt immediately.

819

820 Legislative Budget Notes Progress

821 Avy handed out and discussed a progress document that has been shared with legislators. The
822 Agency has been having monthly financial reporting meetings with LFO, DAS-CFO, and the Governor’s
823 Office; in addition, daily conference calls with DAS Financial to discuss the budget to stay on track.
824 The document includes a summary of what the Agency has been doing to meet requirements.

825

826 Avy and Houston met with the co-chairs of the Budget Committee. The Agency will continue to
827 follow identified steps to meet the requirements from the Governor’s Office, DAS and Legislature.

828

829 Internal Communication

830 Avy stated internal communications are taking place as discussed at the previous Board meeting. He
831 said challenges with the internal communication have been the lack of a Program Manager and
832 limiting the number of staff meetings charged to General Fund. Some emails that have been going
833 out to staff were forwarded to Board members as an FYI. Currently work is being done on a formal
834 internal communication plan to be discussed at the March Board meeting.

835

836 GS&S Program Manager Position

837 Avy said this position was supposed to be recruited for but the Agency is unable to do so due to
838 General Fund spend and not having an official Program Manager position available. He has had
839 conversations with DAS, LFO, and the Governor’s Office that two positions actually need to be
840 created to handle all the work. Avy discussed the need for having these manager positions. The
841 current supervisors are being kept on to handle issues in the interim. There is some concern of
842 putting two positions in front of the Legislature due to the challenges faced by the Agency.

843

844 Chair Maffei said the Board wanted a single manager as a go to person managing that program, and
845 conveyed her reluctance to have two managers, especially with the budget issues. Avy stated that
846 two supervisors would still be needed to handle all the issues.

847

848 Jeremiah asked Avy what his and staff’s perspective would be on the four alternatives from the
849 Governor’s Office. Based on not having previously seen the information presented or having a
850 chance to talk to staff, he believed Alternative 1A would likely be preferred by staff.

851

852 Grants – Internal Approval Process and Strategic Direction/Guidelines

853 Avy said the Board has expressed interest in having more input on the grants. He explained how the
854 process currently works. He said sideboards have been discussed but not formalized. A draft of the

855 types of grants and how they line up with the strategic direction of the Board may be ready for
856 discussion at the March Board meeting. He discussed the DAS GEO grants and the requirement for
857 match and indirect. The Agency met with DAS GEO several times, to request indirects with no match
858 requirement and in the end DAS GEO agreed to support it.

859
860 Chair Maffei asked when the sideboards will be brought back to the Board. Avy stated the March
861 meeting.

862
863 Ashford said he was happy with the work on the grant process.

864
865 Briefing: **No Board Action Required.**

866
867 **14) Public Comment:**

868 Chair Maffei asked for public comment. No public comments.

869

870 **15) Board Adjourn:**

871 Chair Maffei adjourned the meeting at 11:04 a.m.

872

873 APPROVED

874

875

876

877

878



Laura Maffei, Chair