

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

Thursday, June 16, 2022

8:30 a.m.

Virtual Public Meeting

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

Chair Laura Maffei called the meeting to order at 8:33 a.m.

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

Chair Laura Maffei, Vice-Chair Katie Jeremiah, and Board Members Scott Ashford, and Diane Teeman were all in attendance via Zoom video/phone. Board Member Linda Kozlowski was not in attendance.

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, Geologist

Others in attendance:

Diane Lloyd, Department of Justice (DOJ)

Morgan Gratz-Weiser, Natural Resources Policy Advisor Governor's Office

Mary Castle, Weyerhaeuser

Alan Niem, Professor Emeritus of Geology OSU

Ethan Hasenstein, Knife River Corp.

3) Review Minutes of March 4, 2022 Board Meeting:

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

Board Action: **Ashford moved to approve the minutes of March 4, 2022 as submitted. Jeremiah seconded. Motion carried.**

4) Financial Report:

Steve Dahlberg, Chief Financial Officer, presented the DOGAMI FY2021 Budget Status Report, as of April 30, 2022, for the Geological Survey and Services (GS&S) and Mineral Land Regulation & Reclamation (MLRR) programs.

Dahlberg said the Agency is continuing the trend of successfully monitoring its spending. The General Fund is currently underbudget by approximately \$990,000 or 15.4%, with plans to invest into future projects to the benefit of the Agency and State, that are not reflected in the projections. DOGAMI continues to see the balance of work shifting to Federal Funds for project work, which benefits the General Fund due to the additional Indirects that are charged. There was a budget increase of \$104,000 for upcoming salary changes due to the State moving the COLA of 3.1% from December to August.

Other Funds are 57.8% under expense limitation. Revenues total \$965,000, which consists of \$603,000 from grants, \$255,000 from Lidar, and \$107,000 from the Strong Motion Instrument Fund (SMIF); which there is still the commitment with the University of Oregon to purchase approximately 25 seismic instruments to be installed over 18 different locations using the SMIF. The Agency is starting a new larger project called Undersea Cable Landing, which DOGAMI received through DLCD for \$288,000.

Federal Funds are 9.8% under expense limitation. Revenues total \$5,242,000, which consists of \$2,107,000 from grants and \$3,135,000 from Lidar. Dahlberg reviewed the detailed breakdown of the revenue distribution for Federal Funds; they are running close to 90% of expenditure budget. He explained part of the change is from moving some of the Lidar from earlier in the season to later in the season; this is when the expected expenses and revenue will come in, and more staff are working on federal grants than anticipated.

MLRR is running close to the expenditure limit at 96% as planned, with revenues of \$4,853,000 from fees and DEQ Clean Water. With the fee increase in place and steady spending, the Program is on track to meet its target of a 6-month operating reserve by the end of 2025. Dahlberg stated he has made changes to better reflect actual staffing costs, and as long as things stay consistent, he has their budget dialed in.

Dahlberg said during the June 1-3, 2022 Legislative Days, the Legislature approved DOGAMI's 10-day Letters for a FEMA grant of \$1 million and a NOAA grant of \$494,000. He stated the Board Packet included terms and definition that were previously requested by Board Members.

Dahlberg discussed the accuracy of expense projections per the request of Board Member Ashford. He reviewed the comparison of the last three Board Meetings. He explained that October/December 2021 means the results were for October and presented at the December Board Meeting. Ashford thanked Dahlberg for the information and said it is what he was looking for.

Chair Maffei asked if actual expenses are running lower than expected/forecasted in the March Board Meeting. Dahlberg said yes.

Ashford asked if Dahlberg is estimating/expecting more expenses on Federal Funds than anticipated in earlier meetings due to the number of federal grants being worked on. Dahlberg explained staff costs and Lidar costs match the federal revenues because it is a reimbursement program.

Jeremiah asked what is a rough estimate breakdown of where the expenses (the chunks) come from, for percent of payroll versus Lidar versus outside vendor expenses. Dahlberg shared a graph stating in the federal program the largest expense is Lidar.

Dahlberg stated he is always trying to update for actual, looking at what has and has not been spent, known changes, and then readjusts to reflect what is going to happen.

Dahlberg said he included a list of terms and conditions in the Board Packet, then provided an explanation of terms most commonly used in the financial discussions related to DOGAMI's budget and funding methods.

- General Fund: Appropriated money from the Legislative Adopted Budget, Agency starts with zero, is provided balance, draws down over the Biennium, and ends with zero.
- MLRR Revenue and Expenses: Starts with a beginning balance, earns revenue based on permit and tonnage fees, spends through normal operating expenses, keeps within the expense limitation, remaining balance carries forward to next year/biennium. Legislative Adopted Budget gives MLRR an "Expense Limitation".
- GS&S Grants: Starts with a balance from prior awarded grants, draws down the award (revenues) to pay for expenses, and seeks to add new grants as existing grants are drawn down. Legislative Adopted Budget gives GS&S an "Expense Limitation"

The overall Agency Budget is a balance between all three classes.

Dahlberg explained the General Fund biennium budget is \$6.44 million and the end goal is a zero balance; it is normal for reversion, but the Agency wants to minimize the amount. DOGAMI is now looking at projects and strategic investments to spend down General Fund for items that were not originally planned.

The MLRR Revenue and Expenses goal is to finish the Biennium with a positive balance, it reflects the difference between revenue and expenses. The balance size effects the 6-month operating balance. MLRR's operating expenses are generally flat and the revenue is cyclic or spiky.

The GS&S Grant budget is an "Expense Limitation", and the goal is to finish the biennium with a positive balance and reflects the difference between revenue and expenses. A healthy Grant balance removes pressure from General Fund. The biennium started with a balance of approximately \$7 million in available grant balances (grants on the books), the grants are then worked and the balance is drawn down based on expenses. For reference, if no additional grants were received, there would be a zero balance in about 2.5 years; the Agency will continue to pursue grant awards. Dahlberg reiterated DOGAMI is in good financial standing and he will continue to track all expenses and revenue; as a team the Agency will continue to drive toward success.

Jeremiah asked about the MLRR fees being reduced if they reach too much budget surplus and if they are being monitored, based on her recollection of previous discussions. Dahlberg replied they are being monitored and the Agency tries to balance the fees as expenses increase, but is unaware of the possibility of reducing them; he also does not know what is considered too much surplus.

Jeremiah later clarified her comment, "Please correct my prior comments for the minutes regarding the fees paid for MLRR to the following: HB 4302 did address the Board's responsibility to establish procedures for the administrative review of the determination of the MLRR fees (effective 1/1/2021). I'm not sure whether we have done that. ORS 517.800(b)(7) states "Notwithstanding the per ton fee established in subsection (2) of this section, the governing board of the department may lower or zero or raise the per ton fee up to \$0.015 to reflect actual expenses of the department in

administering ORS 517.702 to 517.951". I recommend that we confirm we have followed the directive from the legislation to establish those procedures and provide an official record to fee payers of that review."

Ashford said his recollection is the rate increase agreed to, was going to be higher, provide more revenue than expenses early on, but know that expenses would go higher as time went on. The goal was to not have to ask for fee increase any time soon. He asked Lewis for input.

Lewis said she was not involved in the early discussions but her recollection is the same as Board Member Ashford's. She said they can bring it back at the September meeting.

Jeremiah said she just wants to ensure the Agency revisits and reports back on whatever promises were made to fee payers about fee increases; it is important to have transparent communication to them.

Ashford suggested putting information in the next newsletter going out to permittees to keep them informed.

Teeman agreed about being transparent and that the information should be brought back to review; a process should be established to trigger these reviews.

Ashford said it was a pleasure viewing the report, and as a Board Member, it gives him comfort understanding how well the Agency is managing its funds; he appreciates it. Jeremiah said the overhaul and GS&S management of grant funding has helped; it is impressive to see how quickly the Agency went from being completely upside down to being in a good financial position.

Board Action: **Ashford moved to accept the Budget Status Report as presented. Jeremiah seconded. Motion carried.**

5) **McDermitt Lithium Exploration Update:**

Ruarri Day-Stirrat, Director & State Geologist, provided an update on the McDermitt Lithium Exploration in southeast Oregon.

Day-Stirrat briefly reviewed global lithium mining trends and noted the differences between hard rock, brine, and clay sources. He commented on the projected increase in Electric Vehicle usage over the next decade and supply-demand trends for battery grade lithium over the same period.

Day-Stirrat placed the interest in lithium mining in the context of the Defense Production Act for Critical Minerals (lithium is a critical mineral under the definition of USGS) and the May 2022, ODOT announcement of installing EV charging stations every 50 miles along the I-5 corridor. He went on to comment on an initial screen of legacy Agency reports that show occurrence or historic mining for other important battery elements in Oregon; nickel, cobalt, aluminum, and manganese. He stated of the 50 critical minerals, there are at least 10 occurrences in Oregon with another 5 mentioned in DOGAMI reports.

Oregon's general occurrences of mining belts are in the southwest and northeast sections of the state. A DOGAMI report produced by Ian Madin in 2016 highlighted areas of the state likely to be

provinces of economic mineral growth, one was Malheur County, where there is activity today related to the McDermitt Caldera. Through Jason McClaughry's work in Eastern Oregon a number of calderas have been highlighted to have a similar makeup. The McDermitt Caldera has a significant amount of activity; a large portion is focused on Nevada. There are two companies with significant presence in Oregon. Day-Stirrat said DOGAMI has had conversations with both companies with regards to their permits. There are two other companies with mining claims that have not reached out to DOGAMI. [Note: in August 2022 the BLM withdrew these claims outside of McDermitt]

Day-Stirrat said due to this activity, and the number requests from press and members of the public, DOGAMI has placed/released an FAQ on its website. The FAQ has also been shared with ODFW and DEQ. DOGAMI is following the activity.

Chair Maffei stated it seems to be a very hot topic right now and will continue to be that way.

Briefing: **No Board Action Required.**

6) MLRR Key Performance Measure #4 Update:

Sarah Lewis, MLRR Program Manager, discussed the proposed/revised MLRR Key Performance Measure (KPM) #4, related to site inspections.

Lewis stated the previous KPM was percent of permitted mines inspected biennially; the revision proposal changes the wording to percent of active mines inspected annually, for better measurements. Active sites are defined as permitted sites reporting production or conducting surface mining holding Operating Permits and Limited Exemptions Certificates, and would include sites with current applications; they are proposing to include unpermitted sites conducting surface mining that come to the Program's attention. Inspections include ones related to applications/permitting actions, closures, and routine visits, and will now include sites Mining Without a Permit and responses to complaints. The target is 20% for the first year of implementation starting July 2023-June 2024. MLRR will still be reporting on the current KPM in the fall of 2022.

Ashford ask for a description of the improvement to the KPM in general terms and if there is a process/procedure for official inspection using aerial imagery. Lewis said previously aerial imagery was used, along with a standard procedure for comparing new aerial imagery to the old imagery to determine if changes occurred. In the future they would look at acquiring digital imagery, but currently they do not have any recent photos or the capacity. Ashford asked if Lidar data can be used. Lewis said yes if it is in the right place at the right time scale, but Lidar is not usually flown on a close repeating basis and is usually several years out of date. Lewis said the change to the KPM is recommended because in 2016 it was updated to all permitted mine sites to be inspected on a biennial basis, which would be over 500 site visits per year. Due to current staffing capacity, staff have not met the goal at all; the Program is only hitting about 4% - 11% of sites visited.

Ashford said in reflection, it seems like it was the wrong KPM and not a good use of funds with the other higher priorities. He is glad it is changing from permitted to active sites, and is including unpermitted sites and complaints; he also likes that documented review by aerial imagery has been added.

Board Action: Jeremiah moved to accept the change to the language for MLRR Key Performance Measure #4 as presented. Ashford seconded. Motion carried.

7) Preliminary 23-25 Agency Request Budget (ARB) Discussion:

Director Day-Stirrat presented the preliminary 2023-25 Agency Request Budget (ARB) for DOGAMI, with the help of Steve Dahlberg, Chief Financial Officer; Sarah Lewis, MLRR Program Manager; and Jason McClaughry, Interim GS&S Program Manager.

Day-Stirrat reminded the Board the Agency is in the Agency Request Budget building phase of the overall budget cycle, which started in February. DOGAMI is an early request/submittal agency with a deadline of August 1, 2022, not the standard timeline date of August 31, 2022 for other agencies.

The ARB contains the following essential packages: Current Service Level (CSL) is a fundamental part of the budget building; 010 Vacancy Factor, for DOGAMI it is 0.17 FTE; 031 Inflation, includes 4.2 Inflation Factor for salaries and 8.8 Professional Services; 060 Technical Adjustments is net zero and moves money between funds; Reduction Options is a mandatory 10% reduction scenario; Special Packages contains the Affirmative Action Plan; and Policy Option Packages (POPs) that describes the scope and funding source for each one.

Ashford asked for clarification on the Vacancy Factor. Day-Stirrat explained that over the biennium the total vacancy within the Agency was 17% of one FTE, and reflects only one position is currently open, all others have been filled. Day-Stirrat added the Agency wants to minimize that number, which allows it to go into the next budget cycle with no impact to positions it wants to fill; if the number was high it could affect the budget for next biennium.

The Agency's Affirmative Action Plan has been updated after having internal conversations and working with the Office of Cultural Change; it has been approved. DOGAMI was also able to help the Office of Cultural Change understand how to work with smaller agencies who have an early submittal date.

The 10% reduction target is a technical request. Day-Stirrat said he requested Dahlberg to produce a scenario in which staff members positions were protected and use the contingent spending items first to meet the 10% reduction target.

Day-Stirrat said for the Policy Option Packages, the Department of Administrative Services (DAS) requires a 45-day notice for Class and Comp to ensure each new position is correctly positioned, which has some effects on the Agency's structure; the Agency is limited to the positions they can apply for in POPs based on its size and structure. DAS has received the POP narratives, position descriptions, and the cover letters and memoranda for them, and a nominal Organization Chart. In turn, DAS will do the Class and Comp on these positions and check the Agency structure to conform with State HR guidelines.

Day-Stirrat stated that the POPs designed to help new Governor form policy positions based on data; they are wide ranging, forward looking, and aimed to be multi-year programs. Day-Stirrat stated they are the first step towards a new and updated Strategic Plan for the Agency, and are fully aligned with State and national needs; where applicable, they are connected to other State agencies.

POP 101 – MLRR ePermitting & IT Modernization: 2 FTE, Project Manager (LD) and IT Systems Support (FT). Goal: IT Modernization to give online permitting and payment system. Structure: General Fund to configure and build system. Once system is live (earliest 2025) fee structure to maintain system to cover 0.5 FTE of IT Systems Support. Results: KPMs #4 Percent of mine sites inspected biennially, and #5 Customer Service.

POP 102 – Oregon Mapping Program: Water Resources and Mineral Resource Potential: 4.3 FTE, Geospatial Analyst, mapping geologist (2), Mineral Resource geologist. Goal: Geologic mapping to understand the conservation and sustainability of water resources, and mineral and Critical Mineral resource potential. Structure: General Fund and match for multi-year federal (USGS) programs (STATEMAP, EarthMRI, NGGDPPP. Results: KPMs #2 Detailed Geologic Map Completion, #3 Lidar Completion, and #5 Customer Service.

POP 103 – Oregon Hazard Mapping Program: Post-fire Debris Flow Risk Assessment: 2.3 FTE, Landslide Specialist, Geospatial Analyst. Goal: Proactive Geologic Mapping and Risk Assessment of Post-fire Debris Flow potential and early inter-agency coordination. Structure: General Fund for pre-disaster risk assessment and match for FEMA grants after a disaster has been declared in a designated area. Results: KPMs #1 Hazard and Risk Assessment Completion, #3 Lidar Data Completion, and #5 Customer Service.

POP 104 – Consolidated Mining Permit Lead: 0.25 FTE increase. Goal: Streamline Consolidated Mining Permitting. Consolidated Mining Permit requires inter-agency coordination and groundwork for future consolidated Mining Permit. Structure: FTE increase from 0.75 to 1.0. Funded via cost recovery. Results: KPM #5 Customer Service.

POP 105 – Organizational Adjustments: 2.08 FTE, Floodplain Mapping Coordinator, Office Specialist. Goal: Address some legacy Agency FTE (0.08) and administrative issues, and NRS 4-level position to serve as the Floodplain Mapping Coordinator. Structure: General Fund request and leverage grant requests. Results: KPMs #1 Hazard and Risk Assessment Completion, #3 Lidar Data Completion, and #5 Customer Service.

POP 106 – Infrastructure Permit Support Program: 2 FTE (LD), Interagency Coordinator, Permit Reviewer. Goal: State and mining industry anticipate an increased need for aggregate materials in support of construction and infrastructure projects under the Bipartisan Infrastructure Bill (Infrastructure Investment and Jobs Act). Structure: General Fund request for LD positions only enacted when Bipartisan Infrastructure Bill is active. Results: KPMs #4 Percent of mine sites inspected biennially, and #5 Customer Service.

POP 107 – Unpermitted Surface Mining Program: 4 FTE, Mining Compliance Coordinator, Field Specialists (2); File Reviewer (all LD positions). Goal: Protect state resources. Under current funding compliance is limited to the most egregious transgressions only. State takes responsibility for protecting its resources, active permittees do not fund this compliance activity, and allow existing staff to focus on permits/renewals. Structure: General Fund request for LD positions. Positions would be reduced as the number of sites of concern is reduced. Results: KPMs #4 Percent of mine sites inspected biennially, and #5 Customer Service.

POP 8 – Probabilistic Tsunami Hazard Mapping of the Oregon Coast. Goal: To update existing 2,475-year probabilistic tsunami hazard zones. Addresses deficiencies in the American Society of Civil

Engineers (ASCE) 7-16 tsunami design zone. Adopts new Cascadia probabilistic earthquake sources being developed collaboratively between scientific experts, USGS, AECOM, DOGAMI, WDR, and CGS (scheduled for completion in 2022). Leverages national Tsunami Hazard Mitigation Program support. Performs new tsunami modeling with help from external scientists. Works with AECOM and ASCE to adopt new tsunami design zone by 2028. Structure: General Fund request to convert 1.05 FTE to General Fund. KPMs #1 Hazard and Risk Assessment Completion and #5 Customer Service.

DOGAMI will submit the Agency Request Budget before August 1, 2022.

Chair Maffei thanked Day-Stirrat for an impressive presentation and asked, in terms of numbers and money for these POPs, how does the Agency Request Budget line up/stack up against previous ones. Day-Stirrat answered it is a big step, it is DOGAMI's opportunity to make the request, as there is State and Federal money available, but the Agency needs the structure in place to obtain/absorb it. He added Oregon is the only Western state not part of the EarthMRI Program Consortium. If Oregon was part of that Program, it would have complete coverage of a mineral belt through a swath of Nevada, Oregon, and Idaho, and be part of the national conversations with regard to energy policy.

Chair Maffei asked about the conversion of staff from grant funding to General Fund and if that is to increase the number of staff. Day-Stirrat said yes, it is a mixture to create new positions that are General Funded and shift existing positions from external funding to State funding in recognition that the State thinks these positions are important. It is also to shore up that work done for the State is done by State money, which allows the Agency to continue going after external money to augment the work it does.

Jeremiah asked, with regards to the interagency coordination with ODOT, if the Agency is going to be too late in the budget cycle to ramp up to resolve the compliance issues for where the expected work will be done and before the infrastructure money is no longer available; are there other options the Agency has to get these sites permitted within the timeframe. Day-Stirrat said before this budget is approved, using the 6-month operating reserve is a potential but it would take away from the reserve.

Lewis said staff are incredibly aware of and concerned about. In the short time, MLRR is bringing on a limited duration (LD) NRS-2 to help with permitting file review of the applications that are outstanding. If there is Board interest and industry support, it could be accelerated and sent to the E-Board in September or December. Lewis added the Agency could bring on more staff to handle the more routine work and use seasoned staff to process these reports.

Jeremiah voiced concern about finding out the ODOT project locations and said the Agency has her support to get in front of it. Lewis said she and staff have been meeting monthly and working with ODOT management and aggregate permitting lead to get these sites prioritized and processed, but the Program does not currently have enough staff to process these as fast as they would like; ODOT is also working on their end to improve the application material. Lewis will reach out to ODOT to get their feedback on the Policy Option Package.

Ashford asked for the ePermitting, what does the Agency need to get it in place and once it is in place, is the intent that the existing fee structure cover the additional FTE. Lewis said at the outset, it was envisioned at a minimum a project manager would be in charge of the operation, and piggybacking or leveraging the existing DEQ online systems; now the Program is building on the

existing State Enterprise approved system but MLRR will need its own project manager. The Program is requesting \$2.5 million, funded through General Fund, to get it up and running, as the Program's fee structure is unable to support it. She explained DEQ has a technology fee for every transaction completed on the new system, and that fee pays for the system's support and maintenance, and annual fees from the software vendor; MLRR envisions a similar fee once the system is implemented, which is about 2-3 years out before the community sees a fee as they begin using the new system and services the Department is providing. The Program would also request the ability to accept and pass on credit card fees for every credit card transaction of 2.5% to 4%, which would need legislature approval to do so. This is something that will be talked about it at later date.

Ashford said as he understands it, MLRR needs 2FTE and a project manager to build it out for DOGAMI, basing it on an existing permit system used by DEQ and works well in the State, and when it goes live in 2-3 years, to maintain it there are fees, software licensing, and .5 FTE that could possibly need legislative approval for fees. Lewis responded MLRR envisions 1 FTE for an IT Support Specialist, with half their time supporting the system. The move to an electronic process is expected to free up staff's time from paper processing to do more relevant work, at this time there is no request for additional positions to handle changes to the permitting process, but will re-evaluate when it comes online.

Ashford asked how the limited duration/LD positions compare to the regular FTE. Day-Stirrat said most scientific positions, such as the NRS-2, would be hard to fill if it is limited duration, but project managers are more available within the State; the focus is on more LD positions to handle the contingent side of MLRR. Ashford asked if the positions in the POPs are based on the likelihood of being able to hire a limited duration person. Day-Stirrat said yes and also consider the robustness of funding into the future; LD positions are for areas with short term funding, and FTE positions are permanent for longer term projects.

Jeremiah said she wanted to bring up her chat comments from the finance update about the review of fees before any additional fees are requested. She would like Diane Lloyd's input on this, as it does appear, by statute, there is an obligation to review the fee structure. She does not know the frequency, but the Board is supposed to establish procedures to review and having the option to lower or raise fees. She added, when the fee increase was put into place, one of the selling points was on the ePermitting Program, saying the increase will allow the Agency to pursue it. She wants to make sure DOGAMI has its "i's" dotted and "t's" crossed, is fulfilling its obligations by statute, and reviewing what was originally promised.

Lloyd said she is aware of the provision in the statute, but has not discussed it recently with the Department; it will need to be reviewed and brought back to the Board.

Chair Maffei said it should be addressed so DOGAMI is consistent with the statute. She added, related to ePermitting, previously it was believed that the Agency could just adopt DEQ's ePermitting system, but after further investigation it became clear that more substantial work was needed to tailor it for MLRR. Maffei suspects this will come up when people question this POP, so she wanted to make sure it is clear and recording for the record.

Ashford asked Lloyd when she looks into this, what is the flexibility to raise and lower/adjust fees with or without having to get legislative approval. He also wanted to know how much the per ton

increase actually is, and what the overall fees the Program might collect. Lloyd said she would be happy to look into the issue and provide more information on the statute and DOGAMI's authority.

Chair Maffei stated the Board does not have to take action on the Policy Option Packages today.

Ashford said there are a lot of POPs, but they are very forward thinking and he appreciates the Director and staff working together to move the Agency into the future and help the State government make data informed decisions; he is thankful for it.

Chair Maffei said DOGAMI will not get anything if it does not ask for it, even if the POPs have to be included in the budget a few times before getting approved; the Agency has to start socializing these issues with the Legislature and Governor's Office, as they are all important to the State. Maffei stated there was potential to take action, but there is nothing to approve at this time.

Briefing: **No Board Action Required.**

8) Confirm Time and Date for Special Board Meeting:

DOGAMI is an early submittal agency, whose Agency Request Budget (ARB) must be approved by its Board and submitted by Monday, August 1, 2022. The DOGAMI Board will need to determine a date for a Special Board Meeting to approve the Agency Request Budget, prior to July 29, 2022 in Portland or via Zoom.

It was determined to hold two dates for the Special Board Meeting and will be scheduled based on when the budget information will be completed and available to review. The dates are July 13th, 3 p.m.-4:30 p.m.; and a hold put on July 28th, 9 a.m. – 10:30 a.m.

9) MLRR Update:

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

Permit Status Summary

Lewis stated general permit activity and total permit numbers are stable. Active applications are hovering around 60; there has been a decrease in new surface mining applications; staff are focusing on the application workload. There has been an uptick in site visits; there were nine inspections between January and March and 13 site inspections since April 1, 2022. Each site is inspected to process applications before they can be permitted.

Under the Compliance Summary, new requested information was provided that shows a breakdown of the compliance types by Administrative Orders and Environment/Permit Orders. The Active Suspension Orders report provides specific information for the ones the Program has been dealing with. The Environmental Orders represent 36 sites, 3% of the 1,000 permitted mines, 11 of those 36 sites have active Suspension Orders, which includes sites brought to the Board previously for consideration of Civil Penalties. Since April 1, 2022, there have been four new Suspension Orders; the Program has also issued one new Operating Permit, one Permit Amendment, one Exploration Permit, one Exclusion Certificate, and transferred three permits. Staff have responded to 7 complaints and resolved 4; there has been an uptick in activity in the spring with an expectation of it continuing into summer.

Lewis said at the end of March Jeff Lulich joined MLRR as a Reclamationist and Mining Geologist; he has over 22 years of experience in surface mining, geotechnical engineering, and construction project management. He is already doing site visits and will take the lead on closures of sites. MLRR also hired a limited duration (LD) Natural Resource Specialist 2 (NRS 2) who will be starting on Tuesday; this position focuses on site file and permit review in support of the application processing to reduce the number of active applications and decrease the time to issue permits.

Ashford asked about the different color coding between the Total Active Department Orders and Total Active Suspension Orders. Lewis explained the color switched when she imported the information and her fix caused it to be backwards; she thanked Ashford for the catch.

Jeremiah thanked Lewis for the information, stating it is what she was looking for and it is helpful to see the activity on the enforcement side.

Ashford asked if the Suspension Orders actually stopped mining once the people received them. Lewis said most of them actually do, and staff monitor them and have regular ongoing conversations. For some remote sites, MLRR does rely on State partners to drive by to ensure it is not operating if staff are unable to get out to the area to check. She stated Suspension Orders are generally effective.

Grassy Mountain Project Update

Lewis said the State's review of the Grassy Mountain Goldmine Project is systematically progressing. A Water Resources Subcommittee meeting convened on May 25, 2022 and recommended the acceptance of the revised Groundwater Baseline Data Report. A Geochemistry Subcommittee meeting is scheduled for the morning of June 30, 2022 to discuss the revised Geochemistry Baseline Data Report. There will be a Full Technical Review Team, or TRT meeting, on the afternoon of June 30, 2022 to discuss the recommendations from both of those subcommittees.

The revised Consolidated Permit Application is under review by the Full Technical Review Team for the rest of the information that is not Baseline Data Reports; based on initial findings, the agencies will schedule TRT meetings to discuss that completeness sometime in mid to late summer to determine if the additional information submitted by the applicant is sufficient for a complete application.

Karl Wozniak, who has been the Grassy Mountain Project Coordinator since last April, is retiring at the end of June. Lewis recognized Wozniak for his contributions to the project and wished him the best in retirement. The recruitment for the position is already underway. Lewis will be stepping in to provide any needed coordination and project management until a replacement is hired.

Lewis said coordination with Calico management continues to be positive and productive. MLRR has prepared an update to the cost recovery budget to cover the 12 month period from now until May 2023 or until determination of application completeness, whichever comes first. She stated she is happy to revisit and provide an overview of the steps after the completeness determination to the Board at a future meeting.

Maffei asked about the POP related to this position. Lewis said it is a limited duration and was originally approved for .75, this needs to be a full time position and the change has Calico's support.

She explained the difference between permanent and LD is permanent automatically roll over to the next budget cycle and LDs need to be re-requested to prove continued need.

Briefing: **No Board Action Required.**

10) GS&S Update:

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

Current Work

McClaughry said the current grant load consist of 19 non-Lidar grants and 11 Lidar grants. Staff are currently working on a variety of projects that include: geologic hazards, statewide geologic mapping and resource mapping, and landslide susceptibility mapping. There are also additional upcoming projects for geologic mapping, channel migrations studies, multi-hazard risk studies, and a tsunami analysis.

Publications

McClaughry said there have been four publications in the first part of 2022: two reports are related to modeling pedestrian evacuation routes to escape a local tsunami generated by an earthquake on the Cascadia Subduction Zone (CSZ), in Astoria, Cannon Beach, and smaller communities in Clatsop County; Multi-Hazard Risk Assessment for Wallowa County; and a Special Paper released by DOGAMI, the fourth in a series of analysis of landslide type work related to Lidar. There are also two additional releases of public information: a web page highlighting DOGAMI's post fire debris flow studies, and a Cascadia Earthquake Tsunami FAQ for Emergency Managers. There are a number of publications planned for later this year.

Grants

McClaughry said grants are the main parts that fulfills the Agency's mission goal to provide its earth science and information to the public, so staff continually seek out grant opportunities to strengthen and build the program.

Federal grants received:

- US. Geological Survey STATEMAP Program (\$124,913 Federal Funds): Support geologic mapping of Southern Oregon Coast, Adams (Umatilla County). This is the 30th consecutive year of receiving funding for the program.
- U.S. Geological Survey National Geospatial Program (\$460,000 Federal Funds): Continue 3DEP Lidar data collection in Malheur County.

Federal grant applications:

- BLM Landslide Grant (\$75,000 Federal Funds: Look at landslides in Coos Bay area; approved by Full Ways and Means Committee in February 18,2022; application submitted awaiting funding decision.
- Countywide Multi-Hazard Risk Assessment for Clackamas County (\$42,000 Federal Funds): Waiting for the University of Oregon to execute a contract with FEMA.

- Proposal to the National Tsunami Hazard Mitigation Program (NTHMP) (\$425,060 Federal Funds): Emergency Board approved submission of federal grant application on June 3, 2022; submitted application on June 6, 2022.
- FEMA Cooperating Technical Partners (CTP) Proposals (~\$857,000 to \$3 million for landslide mapping, channel migration and hazard outreach; ~\$183,000 to \$340,000 for Lidar collection Federal Funds): (Notes say \$1.2 million) Emergency Board (E-Board) approved submission of federal grant application on June 3, 2022; full application will be submitted by late July.

McClaghry provided more details related to the undersea cable project. This project came about from House Bill 2603, which established mechanisms for easements and financial assurances for undersea cables, pipelines, and other utility landings on the Oregon Coast. It requires DLCD, in consultation with the Department of State Lands, local governments, and other tribal governments to evaluate placement of undersea cables, pipelines, and other utilities in its territorial sea. DLCD approached DOGAMI to perform a coastal geologic assessment of undersea land cable landing sites on the Oregon Coast, because a main part of the evaluation process is an analysis of sites considered to be suitable for these cable landings, including a mapping analysis of opportunities, limitations, and requirements for each potential site. DOGAMI's main part will be to do a detailed analysis of existing data, as well as, looking at geologic information to determine potential sites of drilling, or how undersea cables might come on shore related to stakeholder properties, and other ways the coast might be affected. The project is scheduled for June 1, 2022 through April 30, 2023. The results will be provided to the Oregon Policy Advisory Council in 2023 for evaluation of any needed amendments to part of the territorial sea plan.

McClaghry announced Dr. Reed Burgette started with DOGAMI on June 6, 2022 as the Lidar Coordinator/Remote Sensing Geologist and provided information on his education and professional background.

McClaghry recognized CFO Dahlberg and the Business Office for their processes and work to improve tools for grant tracking and keeping very complex projects on budget.

Briefing: **No Board Action Required.**

11) Director's Report:

Ruarri Day-Stirrat, Director & State Geologist, provided an update on the Agency and what has been happening since his arrival.

Director Day-Stirrat said it has been a whirlwind of activity getting up-to-speed on programs inside and outside of the Agency. He stated on April 1st he made a commitment to staff to meet individually with everyone in the Agency; he met that goal and had great conversations with staff, which began the process of engagement with staff he has enacted. The Agency has had three All-Staff meetings; the first was for introductions, the second recognized staff for their contributions, and the third, held prior to this Board Meeting, was to present the POPs to the staff and discuss the direction of the Agency. He has also made two visits to the Albany office to meet staff and engage in conversations with a potential permittee, and participated in a site visit with the MLRR Program to look at reclamation activities in the Mid-Willamette Valley.

Update - Recruitment for Vacant Board Positions

Day-Stirrat thanked and congratulated Diane Teeman and Linda Kozlowski for their reappointment to the DOGAMI Board. The Agency is currently recruiting for the two upcoming vacant positions.

Staff Engagement

Day-Stirrat stated the Governor's Office informed agencies that State Offices will be open to the public on May 1, 2022. The Leadership Team worked on a solution that fit the criteria given, which provided a significant amount of flexibility to choose how reopening looks to DOGAMI. Staff are currently working the 80/20 solution, which is a minimum number of staff are in the office on a daily basis to be present for public engagement; the rest of time they are working remotely. Staff are rotating into the office to keep it as equitable across the Agency as possible. Leadership will revisit what the public contact has been and may make a specific agency request for change; it will also be driven by staff desires.

DOGAMI Status and Options for General Fund

Day-Stirrat said has been working with Lewis and McClaughry to put together some proposals to spend down some of the excess General Fund in two areas: first relates to initial reconnaissance mapping in Eastern Oregon as a setup for potential bigger funding through one of the POPs, and the second is looking at satellite imagery primarily as a focus towards MLRR compliance, but equally tie it in with the GS&S Program. The Agency is still waiting for a quote from the vendor.

Jeremiah thanked Day-Stirrat for his update and is excited to have him as the leader of DOGAMI; she appreciates his work and already feels there is a tremendous amount of progress. She stated she has been receiving calls from permittees, there is a concern from the regulated community about staff working remotely and not being in the office causing the perception there is a loss of efficiency processing permits/permit transfers/applications. Day-Stirrat said he will have an offline conversation with Lewis regarding this concern.

Chair Maffei said she could not promise it is going to get any less intense for a while; she appreciates Day-Stirrat's efforts so far and believes he is where the Board expected him to be so far as meeting with staff and the Governor's Office. She also appreciates the fact that he is exploring interesting places and geology in Oregon on his own time.

Ashford said he is happy to have Director Day-Stirrat on board and where the Agency is heading with his forward looking POPs.

Briefing: **No Board Action Required.**

12) Election of Chair and Vice-Chair:

Chair Maffei stated it is time to elect a new Chair and Vice-Chair. She terms out in September, and Jeremiah is actually emeritus, as she did not reapply after her first term but has been willing to serve through the various transitions with the Agency. She added for full transparency, she discussed this with all the Board members separately. She has enjoyed being on the Board and being Chair the last 4 years.

The Board voted Scott Ashford as Chair and Linda Kozlowski as Vice-Chair.

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618 Teeman thanked Maffei for her service and congratulated the new officers; she will be a hard act to
619 follow.

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621 Ashford thanked Maffei and Jeremiah for their work, efforts, and leadership. He looks forward to
622 working with Linda Kozlowski as Vice-Chair.

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624 Board Action: **Maffei moved to elect Board Member Scott Ashford as Chair and Board Member**
625 **Linda Kozlowski as Vice-Chair. Jeremiah seconded. Motion carried.**

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627 Ashford took over Chair duties for the rest of the meeting.

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629 **13) Confirm Time and Date for Next Quarterly Meeting:**

630 Newly voted Chair Ashford stated the next DOGAMI Board is currently scheduled for Tuesday,
631 September 27, 2022 at 8:30 a.m. – 1:00 p.m. in Portland or via Zoom. He confirmed this date is still
632 acceptable for the Board.

633
634 **14) Public Comment:**

635 Only written comments received prior to or by 12:50 p.m. on the day of the meeting were to be
636 accepted. Chair Ashford asked for any written public comments. No public comments.

637
638 **15) Board Adjourn:**

639 Chair Ashford adjourned the meeting at 11:38 a.m.

640
641 APPROVED

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645 Scott Ashford, Chair
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