

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

Tuesday, June 25, 2024

8:30 a.m.

Virtual Public Meeting

1) Call to Order: (Linda Kozlowski, Board Chair)

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

2) Executive Session – Annual Director Review: (Linda Kozlowski, Board Chair)

Chair Kozlowski announced the start of the Executive Session for the Director’s Annual Review.

3) Return to Public Session: (Linda Kozlowski, Board Chair)

Chair Linda Kozlowski reconvened the regular public session at 10:39 a.m. following the Director’s Review.

4) Introductions: (Linda Kozlowski, Board Chair, and Staff)

Chair Linda Kozlowski, Vice-Chair Anne MacDonald, Board Members Diane Teeman, Tiffany Thomas, and Ruth Dittrich were all in attendance via Zoom video/phone.

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

Ruarri Day-Stirrat – Director/State Geologist
Lori Calarruda, Recording Secretary/Executive Assistant
Alex Lopez, Public Affairs Coordinator
Steve Dahlberg, Chief Financial Officer (CFO)
Jason McClaughry, GS&S Program Manager
Sarah Lewis, MLRR Program Manager
Christina Appleby, Legislative Coordinator/Geologist
Cari Buchner, Mining Compliance Coordinator

Others in attendance:

Sherry Lauer, DAS Human Resources Business Partner
Diane Lloyd, Department of Justice (DOJ)
Geoff Huntington, Senior Natural Resources Advisor Governor’s Office
Wendy Gibson, Legislative Fiscal Office (LFO)
Nathan Karman, DOJ

Chair Kozlowski asked new Board Member Ruth Dittrich to introduce herself. Dittrich stated she has been at the University of Portland for 8 years as an Associate Professor in Economics, and does different types of research work. She is an economist with a focus on applied environmental economics work and is currently working on a small research project on the perception of lithium mining among stakeholders with Alex Lopez of DOGAMI.

1 **5) Annual Director’s Evaluation:** (Linda Kozlowski, Board Chair)

2 Chair Kozlowski stated the Board conducted the Annual Director’s Evaluation/Review.

3
4 Chair Kozlowski entertained a motion to adopt the 360 Performance Survey and draft Performance
5 Summary as discussed in Executive Session. Noting that final Performance Summary will be
6 completed after the meeting and submitted to HR.

7
8 Board Action: **Teeman moved to adopt the 360 Performance Survey and draft Performance**
9 **Summary as discussed in Executive Session. Noting that final Performance Summary will be**
10 **completed after the meeting and submitted to HR. MacDonald seconded. Motion carried.**

11
12 Chair Kozlowski asked the Board Members to deliberate and consider a motion to ask DAS for Special
13 Merit Increase for a one-step special merit increase for exceptional individual performance or other
14 valid reasons.

15
16 Board Action: **Thomas motioned to ask DAS for Special Merit Increase for a one-step special merit**
17 **increase for exceptional individual performance or other valid reasons. MacDonald seconded.**
18 **Motion carried.**

19
20 Chair Kozlowski asked the Board Members to deliberate and consider a motion to ask DAS for
21 Exceptional Performance Recognition Leave with Pay to equate to 3 days.

22
23 Board Action: **Teeman motioned to ask DAS for Exceptional Performance Recognition Leave with**
24 **Pay to equate to 3 days. Thomas seconded. Motion carried.**

25
26 Chair Kozlowski asked the Board Members to deliberate and consider a motion for the Board’s
27 preference for a one-step merit increase over vacation.

28 Board Action: **MacDonald moved for the Board’s preference for a one-step merit increase over**
29 **vacation. Thomas moved. Motion carried.**

30
31 **6) Review Minutes of March 14, 2024 Board Meeting, March 27, 2024 Work Session, and April 4, 2024**
32 **Special Board Meeting:**

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

34
35 Board Action: **Thomas moved to approve the March 14, 2024 Board Meeting, March 27, 2024 Work**
36 **Session, and April 4, 2024 Special Board Meeting as submitted. MacDonald seconded. Motion**
37 **carried.**

38
39 **7) Financial Report:**

40 Steve Dahlberg, Chief Financial Officer, presented the DOGAMI FY2021 Budget Status Report, as of
41 April 30, 2024, for the Geological Survey and Services (GS&S) and Mineral Land Regulation &
42 Reclamation (MLRR) programs. The Board Packet contained the financial actuals, graphs, and
43 projections.
44

45 Dahlberg said DOGAMI’s General Fund budget appropriation was \$7.8M with expectations to spend
46 \$7.5M, resulting in the Agency being \$300,000 underbudget. The Other Funds Expenditure
47 Limitation is \$2.6M with expectations of spending just over \$2M, resulting in the Agency being
48 approximately \$500,000 under the Expenditure Limitation. This is not a problem, as the Agency is
49 meeting its projects and grants as needed, which includes several completing at the end of June
50 2024. The Federal Funds Expenditure Limitation of \$5.7M with expectations of spending \$3.8M,
51 resulting in the Agency being \$1.9M under the Expenditure Limitation. The Agency is expecting that
52 to change in the next biennium.

53
54 The MLRR Expenditure Limitation is \$5.2M with expectations to spend \$5.6M. The Program has the
55 cash, but will need to go to the Emergency Board (E-Board) in December to ask for an increase in the
56 Expenditure Limitation to meet where it is going to end up.

57
58 Dahlberg reviewed the comparison of his projections from the last Board Meeting, explaining the
59 change is due to the allocation of staff amongst project and other spending. He stated the lower
60 2025-27 GS&S Federal Funds amount is primarily due to the reduction of Lidar grants.

61
62 Vice-Chair MacDonald said it is great the grants are going up, and asked if he has a sense of how
63 much of that are inflationary changes in grant amounts due to hourly staff salaries versus more work
64 being done asking for more FTEs. Dahlberg explained when they plan for grants, they do factor in
65 salary COLAs and increasing costs. The Agency has been proposing larger projects to funders.

66
67 Dahlberg provided a breakdown of the detailed Budget Status Report in the Board Packet related to
68 the consolidated numbers, per a request from Chair Kozlowski. He explained the color coding and
69 terms. Projections is the term for where the Agency is going to end; Actuals is historic; and Forecast
70 is between May to the end of the year. Projection is a combination of actuals plus the forecast.

71
72 Vice-Chair MacDonald asked if there is anything making him nervous about the financials. He
73 answered no, nothing keeps him awake, but added he does remind Day-Stirrat that when doing
74 grants that have match, to make sure the Agency has the capacity to absorb it, which it does. He
75 would like to see more Lidar type programs and the newer technology that can be utilized for the
76 betterment of the State and other customers doing their research.

77
78 In summary, Dahlberg said DOGAM has a healthy outlook with new and larger grants. The Business
79 Office just recently closed a FEMA desk audit and received a very good recommendation and follow-
80 up. The Agency is in frequent communication with its Federal and State partners, and the Director
81 has been traveling and meeting with them to work towards DOGAMI’s future. Leadership
82 communicates closely with the CFO and LFO Analysts, DAS, and the Governor’s Office.

83
84 Dittrich asked if all the grants in the forecast have been awarded or applied for. Day-Stirrat explained
85 that it is a combination of both, as some have been awarded and some are almost certain to be
86 awarded. The ones that have less certainty are not included in the projection. It is essentially the
87 highest probability of grant load that is being factored, and the performance period of the grants are
88 also looked at.

89
90 Board Action: **Teeman moved to accept the Budget Status Report as presented. MacDonald**
91 **seconded. Motion carried.**

92

93 **8) Preliminary 25-27 Agency Request Budget (ARB) Discussion:**

94 Ruarri Day-Stirrat, Director & State Geologist, reviewed the preliminary 25-27 Agency Request Budget
95 (ARB) for DOGAMI.

96
97 Day-Stirrat explained the State Biennial Budget Cycle process and timeline, stating DOGAMI is an
98 early submittal agency with an end of July deadline. The ARB is the Current Service Level (CSL)
99 budget with vacancy, inflation and general inflation factors applied. Statute requires a 10% reduction
100 scenario be included, but is not coded in the ARB numbers. He reviewed the CSL Budget Agency
101 Fund Split using pie charts to demonstrate the different breakdowns by funds and programs. There
102 are seven Policy Option Packages (POPs) listed in order of importance, which he reviewed individually
103 and also grouped them together by connection/themes.

- 104 • POP 101 – Agency Allotment, is being applied towards increased Esri licensing fees.
- 105 • POP 102 – MLRR ePermitting, is for partial rollover of funds from current biennium, some
106 additional fees to complete project with a slight change in staffing.
- 107 • POP 103 – Subsurface Geology and Mapping, is focused on the carbon sequestration in basalt in
108 northeast Oregon. He explained how the method is done and showed a picture of the results
109 taken in Iceland. This is a way of developing economy in northeast Oregon and to meet the
110 climate goals/objectives of the State. It is in partnership with POP 106 – MLRR Class VI Injection
111 Well Regulatory Program, to create the regulatory program that is often called Primacy.
- 112 • POPs 104 and 105 combined for MLRR right sizing and Program Establishment, POP 105 is a re-ask
113 from last biennium to turn the LD positions to permanent positions (FTE). The number of permits,
114 permitting process, and proposed Program structure were discussed in detail, with charts
115 reflecting the additional information.
- 116 • POP 107 – GS&S Floodplain Coordinator is a re-ask from last biennium, with a focus towards
117 housing and the Governor’s housing goals, due to frequent building on the floodplain.

118 Day-Stirrat summarized the POPs by showing the change in Agency Fund Split with a comparison
119 slide of the CSL plus (+) the POPs, stating it would change the Agency size significantly in terms of
120 budget and FTE.

121
122 Chair Kozlowski said the fee increase is critical for MLRR and asked about the reception from
123 industry, and if talk had begun with the Legislature or Governor for their perspective. Day-Stirrat
124 answered the fee increase starts with a discussion with the Governor’s Office, which has occurred.
125 Why the increase is needed, how much, and what factors went into making those decisions were
126 discussed with both the Governor’s Office and Industry. He added that Industry was informed last
127 biennium they could expect a fee bill this biennium, and that he has asked for their input on what
128 they want in terms of service and what metrics the Agency can be held to. He is expecting more
129 discussions. He explained the fee bill is placing some costs up front to industry which is the permit
130 fee and the tonnage fee is when they have a revenue stream, so there is a difference between larger
131 and smaller operators and when they want to pay, which finding that balance is a legitimate
132 conversation. The Agency needs a baseline and consistent funding that is not too spiky, so there is
133 room for negotiation and he is waiting for Industry to discuss their needs and this fee bill.

134
135 Dittrich asked if the application approval process can be simplified to optimize things, and have they
136 checked with what other states are charging for fees to make the argument for fee increases. Day-
137 Stirrat answered yes, they have compared what counties are assessing in Oregon, and Washington’s
138 fees are twice as much as DOGAMI’s current fees and they are going to have a fee bill this year due to

139 the same issue, which are costs have gone up and revenue is flat. As for simplifying, yes they have
140 worked on efficiencies, but there is a limit to what the Agency can do, which is the reason for the fee
141 bill. Lewis added that each operating permit is individual, and written to the plan submitted by the
142 permittee and customized to their needs and site. Right sizing the Program would allow them to look
143 at the potential for creating a general permit with a strict set of requirements and guidelines that
144 could be done at a lower cost for a specific subset of permittees, and go through the process faster if
145 it did not need the individualization. At this point it cannot be considered because it would require
146 statutory authority, rule writing and engagement with the Industry. Dittrich said this could make it
147 appealing to the Industry and be sure to communicate that.

148
149 Vice-Chair MacDonald said she is extremely excited about the revamp, but she has found for a
150 general permit that they are easier to go through on the frontend, but more inspection is often
151 needed on the backend. Getting the inspection program up and going, and normalized with Industry
152 is going to be helpful and is a good argument for what the Agency is trying to do.

153
154 Chair Kozlowski said the POPs are exciting. She asked Day-Stirrat how positive he is that the carbon
155 sequestration partnership with DEQ will actually occur. Day-Stirrat answered the economic case and
156 climate case needs to be made. There is a lot of interest outside of State government in what Oregon
157 can offer. The question is, can the Agency bring all those pieces together, stating he will be having
158 conversations with the Governor's Office about it.

159
160 Day-Stirrat said no action is needed, other than scheduling a Special Board meeting to approve the
161 final ARB.

162
163 Briefing: **No Board Action Required.**

164
165 **9) Confirm Time and Date for Special Board Meeting:**

166 DOGAMI is an early submittal agency, whose Agency Request Budget (ARB) must be approved by its
167 Board and submitted by Wednesday, July 31, 2024. The DOGAMI Board needed to determine a date
168 for a Special Board Meeting to approve the Agency Request Budget, prior to July 29, 2024 in Portland
169 or via Zoom. After reviewing the potential dates listed in the Board Packet, it was decided the Special
170 Board Meeting would be scheduled for July 22, 2024 at 2:00 p.m. for 1 hour.

171
172 **10) GNRO Report:**

173 Geoff Huntington, Senior Natural Resources Advisor for the Governor's Office, was invited to
174 introduce himself, discuss the Governor's priorities, and take questions from the Board.

175
176 Huntington is Governor Kotek's Senior Policy Advisor for all Natural Resources Agencies, his portfolio
177 for the Governor is 14 agencies and approximately 32 different Boards, and he has a team of four.

178
179 Huntington discussed three things with the Board: the way they have been approaching
180 administration of the Natural Resources agencies; the Governor's perspective on relationships
181 between their office and the Boards and Commissions; and a thematic overlay they are beginning to
182 weave into conversations with the Directors in the Natural Resources Cabinet. They have spent the
183 last year and a half working with the Cabinet Members to consolidate and deliver core functions as a
184 team and begin to do more integration across agencies.

185
186 Huntington discussed building this three point relationship between Boards, Directors and the
187 Governor's Office with accountability and clarity of roles within these cross jurisdictional natural
188 resource issues, and working to do more of what is important than what has historically been the
189 time consuming work of the Agency. They are asking for real active engagement with the Chairs of
190 Boards and Commissions, between Directors and Chairs, and between the Directors, Chairs and their
191 office. They are having these conversations because of the pace and scale of climate change. There
192 is a need to think more about what needs to be done in 2030/2035 to be ready for the management
193 challenges of natural resources across the State, and do more to be prepared for 5 or 10 years out as
194 budgets are constructed.

195
196 In addition, they want to have supportive open exchange with Boards and Commissions related to
197 fee conversations. They want to make sure the Board is feeling connected to Agency stakeholders
198 with opportunities to build that dialogue and relationship with them directly, as the Board is meeting,
199 and not necessarily just having a connection be funneled through the Department and Director. They
200 do not expect the Board to take on the load of running the Agency or acting on behalf of the Agency
201 in their individual capacities, but acting on behalf of the Agency when meeting as a Board collectively
202 working on policy discussions. As a collective voice focused on acting with thoughtful perspective on
203 what is good policy, using the Board's best judgement and advice and how to react to those
204 challenges and how to overcome them. The Board Members have a different perspectives and lens
205 than a Director to look at these issues, and encouraged them to create the partnership and dialogue
206 that allows access of different perspectives coming from stakeholders, not just to be a rubber stamp
207 of the Agency. He welcomed Chair Kozlowski to reach out to him on behalf of the Board, in asking for
208 information or clarity.

209
210 Huntington discussed at length how the Natural Resource Cabinet is discussing how to drive progress
211 and a consolidated prospective view of managing Oregon's natural resources. His request to the
212 Board is looking at DOGAMI's mission and the execution of programs, use a thematic overlay to think
213 about DOGAMI's role in building more resiliency in the natural resource base that makes Oregon a
214 good place economically, socially and ecologically.

215
216 Huntington asked the Board how they are feeling about their connection with Agency stakeholders as
217 Board Members, what are their impressions regarding the challenges that DOGAMI and the Board
218 are facing right now, and if they feel like stakeholders are actively engaged in paying attention to the
219 Board and agenda issues.

220
221 Chair Kozlowski stated it is exciting to see the direction the State is going. There is a significant
222 transition and change in the direction DOGAMI is going and it is encouraging and exciting. The Board
223 feels very optimistic about the future of DOGAMI and the role it can play in the State.

224
225 Chair Kozlowski asked Huntington what significant role he sees DOGAMI's playing. Huntington
226 answered there are two categories. One is the capacity to respond related to DOGAMI's
227 management and permitting processes in its portfolio around lithium mining and the new business
228 and economic drivers of the national initiatives landing at the Agency's doorstep in permitting and
229 oversight contexts. He expects DOGAMI to have the clarity and efficiency to move through a decision
230 process and meet the challenge of both protecting the resources and interests of the public in
231 Oregon, but also the business and economic drivers that some of that is going to represent, which
232 could be significant to rural communities and the economy of the State. Not to mention the

233 contribution it could make to the decarbonization of some of the transportation and energy sectors.
234 The second is positioning Oregon so it can take advantage of the new technology around carbon
235 capture and direct air capture, and what steps that DOGAMI can take to lead this Administration and
236 Oregon through that would create Oregon to be the equivalent of shovel ready to accept some of
237 these pilot and scalable processes interested in the basalt layers in portions of the State as part of a
238 direct air capture technology advancement. The Land Board has been thinking about the use of
239 common school fund lands that are supposed to be generating revenue for K-12 education for direct
240 air capture in both proximity and suitability of the subsurface structure, which is on a forward leaning
241 mode, not a responsive one.

242
243 Chair Kozlowski said DOGAMI is data driven and asked if that is part of what he is looking to from
244 DOGAMI to provide to help them make decisions and move into the future. Huntington said yes and
245 mentioned Lidar flights being done for Elliott State Forest for forest inventory. He stated if he could
246 invest money, it would be to have the application of that data source and DOGAMI's capacity to
247 make that available for different applications for land management across the State. They will be
248 relying on DOGAMI to talk to them about what would be the most effective in an incremental way to
249 add to their capacity.

250
251 Chair Kozlowski stated she appreciated Huntington's input, stating it is very helpful and it is good to
252 know what the Governor is looking for, and for his work with natural resources and working together
253 as a Cabinet. She answered Huntington's initial question by saying she is most interested in hazard
254 mapping for tsunami and earthquake risks. She added DOGAMI rates very high in terms of customer
255 and stakeholder input. The Program had a potential reduction in federal funding and it took no
256 energy at all to get a lot of support sending to both Federal and State level to encourage the
257 continuation of that funding. From her perspective, DOGAMI rates very high with the stakeholders
258 they provide that information to.

259
260 Vice-Chair MacDonald asked Huntington what the 14 agencies are in the Natural Resources Cabinet.
261 Huntington answered by saying the ones probably not considered are PUC, LUBA, DLCD, Parks,
262 Marine Board, OWEB, and Columbia Basin Gorge Commission.

263
264 Vice-Chair MacDonald asked how the Natural Resources Cabinet has interacted with the different
265 Tribal Government natural resource programs and specifically if they are thinking about possible
266 partnerships on the basalt carbon sequestration. Huntington answered the Governor is the first have
267 a Tribal Policy Advisor. They are putting a lot of emphasis on adjusting and better defining what
268 consultation means between agencies and Tribal Governments, to make sure agencies are not
269 working with them as a stakeholder but as a sovereign, and they need to be engaged at the beginning
270 of a process before working on any rules and not just having them make comments. Each agency has
271 a responsibility to have a Tribal Policy Advisor embedded in a position that meets as a cohort with
272 the Governor's Tribal Policy Advisor, and they are defining what things should just be communicated
273 and when a formal consultation should be enacted with the Tribes. Due to Tribal capacity, they are
274 working with the Tribes on a process that involves the agencies to define and standardize
275 expectations around how to have an effective consultation that can also be completed within the
276 timeframes that the Administrative Procedures Act can put on an agency and/or other constraints
277 such as legislatively.

278
279 Vice-Chair MacDonald replied she was thinking of where there may be some opportunities for
280 sovereign to sovereign partnerships. Huntington answered he was on point for the Columbia Basin

281 Restoration Initiative, working with the six sovereigns of Washington, Oregon, the four Tribes in
282 negotiations with the Federal Government. They are looking at tribally owned energy sources as part
283 of a decarbonization plan for the State's energy infrastructure, and there is significant conversation
284 that has spawned with other Tribes about potential areas that might replicate what is on the table
285 conceptually with the Tribes, from the US Department of Energy.

286
287 Teeman said she appreciates the conversation regarding the carbon sequestration. There are
288 different worldviews about what is natural and what is cultural, and what is alive and what is not.
289 She thinks it is good that the conversations are expanding and continuing because that dialogue will
290 help with cross-cultural understanding, and everyone truly does have a voice in the conversation and
291 outcomes of the projects worked on. Huntington said as an enterprise, they tend to have an
292 anthropocentric view of the human based interaction with the environment and how they interact.
293 It is important to him to have the conversations with Tribal Governments at the start of their
294 processes, based on what she stated, because the starting point is very different and the two can be
295 integrated, but not if it is late in an agency's process due to constraints.

296
297 Huntington asked what challenges the Board is facing. Vice-Chair MacDonald said hazards, as the
298 press for affordable housing is butting up against land use structure or the requirements individual
299 jurisdictions have placed under that framework, where it might make it unaffordable due to floods,
300 poor drainage or landslides. There is a lot that DOGAMI can contribute, because Lidar is a key data
301 source that everybody uses and is the basis for a lot of land use analysis in multiple jurisdictions.
302 Huntington said the Governor is focused on the housing production priority, and that is a concern if it
303 intersects those areas, as it can get pretty expensive. He stated natural resources accounts for 2.8%
304 of the General Fund budget, but is embedded in every single social, economic, and environmental
305 policy decision that State makes. His concern is that most people do not know about DOGAMI and its
306 data driven contribution is a foundational underlay to a lot of things.

307
308 Chair Kozlowski agreed and said most agencies do not know about the data DOGAMI can provide to
309 help in their planning. There is a lot the Agency can provide, it just needs to be more present, and
310 she thinks Huntington is helping this by DOGAMI being part of cabinet.

311
312 Chair Kozlowski answers Huntington's question about DOGAMI and its relationship, and the
313 differences that have occurred. There are three new Board Members who are going to make a huge
314 difference as the Agency moves forward and she is excited about the composition of the Board.
315 DOGAMI previously struggled and had difficulties for a long time. With the addition of Day-Stirrat,
316 his leadership and capability, with his ability to bring DOGAMI together and raise expectations to
317 excellence, and beginning to be part of the major issues the State is facing today, the Agency is in a
318 very good position. The Board feels very strongly about its relationship with Day-Stirrat and the staff.
319 DOGAMI has an excellent staff and is ready to meet the needs of the State, it wants to participate
320 and be a key part of the decisions Huntington makes moving forward related to climate control,
321 geology and technical emphasis in the State. The Agency has a lot to provide and wants to be a
322 player.

323
324 Chair Kozlowski thanked Huntington for attending the meeting. Huntington stated he was happy to
325 attend and he will talk to the Board again before Legislative Session starts.

326
327 Chair Kozlowski asked Day-Stirrat about the effectiveness of the Cabinet and working at State level.
328 Day-Stirrat answered that not being part of a Department of Natural Resources and agencies being

329 independent boards, means that they can get separated from bigger issues. He has been able to
330 meet regularly and discuss issues and how they intersect across the agencies.

331

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

333

334 **11) Legislative Update:**

335 Christina Appleby, Legislative Coordinator, provided a Legislative Update.

336

337 Appleby said during the May Legislative Days that DOGAMI's new Governing Board Member, Dr. Ruth
338 Dittrich was confirmed. In addition, approvals were received for two applications to the USGS Earth
339 Mineral Resources Initiative Grant Program; one for geologic mapping in the Quartzburg Mining
340 District in Grant County, and the second for Mine Waste Inventory and Assessment for Critical
341 Mineral Resources in and Grant and Malheur Counties.

342

343 Appleby said the Legislative Concept that proposes the MLRR fee increase and supports the Policy
344 Option Package for right sizing the Program was submitted the previous day. The fee increase would
345 change statute, so there is quite a process of paperwork and review that needs to take place before it
346 can be moved forward. It now needs to go through DAS' review of the concept and finances, and the
347 legal review.

348

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

350

351 **12) GS&S Update:**

352 Jason McClaughry, GS&S Program Manager, provided the GS&S program update.

353

354 McClaughry stated the Board Packet contained the extensive report on all the activities for GS&S
355 since the last Board Meeting, and his update would focus on grants. There are fourteen grants that
356 are either in contract submission review or in preparation phase, and the total value the projects
357 coming into the system is about \$6.5M. There are two grants he wanted to highlight.

358

359 First is the STATEMAP Program that funds the Geologic Mapping Program, and has since its inception
360 in 1992. This is the largest proposal DOGAMI has ever submitted and largest award ever received at
361 around \$1.1M. The focus areas will be the Harney Basin in southeast Oregon; Lake Ebert near
362 Lakeview; and northeast Oregon, near Milton-Freewater in the Walla Walla Basin. It is in the
363 contracting phase and the agreement is almost completed.

364

365 Second is partnership grant through National Energy Technology Laboratory (NETL) and DOE called
366 Carbon Ore, Rare Earth, and Critical Minerals (CORE-CM). DOGAMI was involved in two region
367 groups submitting this proposal: Region 8 is a collaborative of North Central Oregon up through
368 Alaska and the partnership is with University Alaska Fairbanks (UAF), Oregon State University (OSU)
369 and the Washington Geological Survey. Region 7 is largely southeast Oregon in Malheur and Harney
370 Counties into the Basin and Range of Southwestern US, and partners with University of Nevada Reno;
371 Nevada Geological Survey; University of Nevada Las Vegas; Nevada Governor's Office of Economic
372 Development; University of Arizona; Arizona Geological Survey; University of Utah; California
373 Geological Survey, and some of the National Labs. It was an extensive partnership and complex
374 process that took about 2.5 months to get it worked on and they were submitted on Monday Now
375 they go into the decision phase. For Region 8, DOGAMI's portion is about \$1.8M with a 20% match of

376 about \$450,000, which much of is in the way of geophysical data collection collecting aeromagnetic
377 data and radiometric data across a large part of Grant County in northeast Oregon. This program
378 goal is the US trying to reduce its dependence on imports of Rare Earth elements and Critical
379 Minerals from other countries and create its own domestic supply chains. He elaborated in detail on
380 the efforts that DOGAMI will be involved in, including the fundamental part of the outreach
381 component.

382
383 For Outreach there is currently a project for earthquake hazards in the Eugene-Springfield area, Lalo
384 Guerrero, DOGAMI's Geology Hazard Specialist, has an expertise in bilingual communication and the
385 Agency is beginning to explore and create material to reach multiple different communities with
386 different languages to ensure everybody can understand what hazard potentials are in a community
387 and reaching the entirety of that community. It goes hand in hand with a FEMA outreach project
388 funded last year relate to drought and water scarcity in support of the Geologic Mapping Program to
389 create publicly accessible materials to explain how geology works, and how it controls ground water.
390 DOGAMI is excited and working hard to create these outreach materials and expand the portfolio of
391 how it interacts with the community.

392
393 The Agency is currently hiring a permanent Landslide Geologist position, with the resignation of
394 Nancy Calhoun, who moved to the Washington Geological Survey, and also a limited duration (LD)
395 position for a Geologic Mapper.

396
397 Chair Kozlowski said it was an exciting report, particularly the outreach component is really positive,
398 and the grants are excellent.

399
400 Dittrich asked how the Agency determines what grants are applied for. McClaughry explained first
401 they look at if they fundamentally match the mission and goals of the Agency and its Strategic Plan.
402 Second, the Agency has developed strong partnerships with USGS STATEMAP, FEMA Cooperating
403 Technical Partner (CTP) Program and NOAA National Tsunami Hazard Mitigation Program (NTHMP),
404 these are annual grants and dedicated funding streams DOGAMI depends on for stable funding.
405 Third is staffing capacity to tackle new possibilities and needs of the Agency. Dittrich said the grant
406 applications and the different partners is impressive. McClaughry said there are twenty exceptional
407 staff in GS&S with expertise building the connections and partnerships.

408
409 Briefing: **No Board Action Required.**

410
411 **13) MLRR Update:**

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

413
414 Lewis said there were three items to discuss, and the first item does require a Board Action, she then
415 turned it over to Cari Buchner, Mining Compliance Coordinator, to discuss the Civil Penalties.

416
417 Buchner gave an update on three ongoing Civil Penalty cases for Mining Without a Permit (MWOP)
418 and additional violations.

419
420 Update on Civil Penalty Cases for Mining Without a Permit

421 Ekroth Quarry, DOGAMI site ID #29-0040

422 Buchner said the Ekroth Quarry Civil Penalty required a Board Action and briefly reviewed the
423 information about the site. The information for the request to adopt the Civil Penalty set forth in a
424 Second Amended Proposed Final Order, is in the Board Packet and outlines the necessity of
425 amending the Proposed Final Order and the nature of the amendments.

426
427 **Board Action: MacDonald moved to Adopt Civil Penalty as Set Forth in Second Amended Proposed**
428 **Final Order. Thomas seconded. Motion carried.**

429
430
431 Buchner provided an update on the first ever Civil Penalty for MWOP, the Morgan Creek site. In July
432 of 2020 the Governing Board approved issuance of a Civil Penalty that resulted in a negotiated
433 Consent Order requiring payment of \$43,000 and complete reclamation and closure of the
434 unpermitted site. The respondents have met the deadlines stipulated in the Consent Order and
435 submitted timely penalty payments. The site has been inspected and appeared stable with no
436 erosion, and documented well-established vegetation. The Program will be able to close this case
437 with receipt of the final penalty payment expected in the fall of this year.

438
439 Buchner briefly reviewed the violations for the most recent case, the Bonanza Mine Site. In March
440 2024, the Governing Board approved issuance of the Civil Penalty in the amount of \$834,250 for
441 multiple permit condition violations and failure to comply with Department orders. On June 21,
442 2024, the Department issues an Application denial, Notice of Violation, Notice of Civil Penalty,
443 Revocation of Operating Permit and Compliance Order, or Proposed Final Order, to Rare Earth
444 Resources, LLC, permittees of the Bonanza Mine. A request for a Contested Case Hearing is
445 anticipated.

446
447 Chair Kozlowski told Buchner she does an excellent job of communicating the information to the
448 Board.

449
450 Permit Status Summary

451 Lewis reviewed the new Application Process and Workload flowchart that had been updated that
452 morning. With over 100 applications, a more rigorous system was needed to keep track of the
453 process of the Application. This is a reflection of where the Program is headed, with the need to
454 have discrete roles and responsibilities for each step of the process and work done by appropriate
455 staff. The Program hopes to have a similar graphic outward facing on the website that is updated
456 regularly with numbers from the database.

457
458 Chair Kozlowski asked if the Program has asked the stakeholders about this process, and the work
459 being put in to create the ability to respond more effectively. Lewis said yes, they have conversations
460 with applicants and permittees on a regular basis, and also try to highlight it in the newsletter.
461 Director Day-Stirrat has also been interfacing with OCAPA and the graphic was shared at their annual
462 meeting last week.

463
464 Lewis added she had two new staff members recently start. As for ePermitting, it is still moving
465 forward, which required several submissions at the Enterprise Information Services (EIS) IT
466 prioritization for the 25-27 budget process, to demonstrate the Agency is still doing the appropriate
467 oversight of the ePermitting process, and starting in July quarterly reporting will be provided to EIS as
468 a requirement.

469
470

Grassy Mountain Project

471 Lewis said there is continued coordination with BLM, who have started their NEPA Process, and there
472 is a signed Memorandum of Understanding (MOU) for BLM and the State to work jointly on the
473 financial security for the project. Due to expected security calculations to be higher than \$12M,
474 having a single security that covers both Federal and State needs instead of two separate bonds, has
475 been a successful step. The Program is at the stage of finalizing the Environment Evaluation, which
476 has been through review by the State agencies. It will be finalized and presented to the Project
477 Coordinating Committee at a meeting this fall, written comments will be accepted, and then it is
478 expected to be finalized in a TRT meeting. Once the permits are drafted, there will be a Project
479 Coordinating Committee meeting and Public Hearing meeting most likely in late spring of 2025. She
480 said it is exciting to see the pieces coming together and appreciates the Board’s support across this
481 process and doing something new for MLRR.

482

483 Chair Kozlowski asked how long MLRR has been going on Grassy Mountain. Lewis replied that the
484 current Notice of Intent was submitted in 2017, which was the third Notice of Intent around the
485 project, so it goes back before then. The current Application with current project scope is almost at 7
486 years now.

487

488 Dittrich asked why there are so many more applications. Lewis explained there are three types of
489 applications: new applications, amendments applications, and transfer applications. New
490 applications are the smallest number, and the majority are amendments and transfer applications.
491 Transfer applications are where the ownership of the site, either the land, operator, or the permittee
492 itself has changed. These are largely administrative, but they are reviewed for compliance prior to
493 transferring the permit to ensure the Program and the person receiving the permit understands the
494 liability they are accepting with the site. The amendment applications are where most of the work is,
495 and those big increases are hard to absorb into the Program. Driving factors include the industry did
496 not shut down during COVID and stayed very active; the increase and focus on housing and
497 development, and the Federal Investments and Infrastructure, which all those projects require
498 aggregate so there is strong need for continued product.

499

500 Dittrich asked if there are economic downturns and if they reflect in permit amendments. Lewis
501 answered yes, historically there has been decreases in revenue driven by a decrease in production.
502 The current model the Program has does not allow it to adjust staffing based on application fees
503 alone, the fees are not high enough. The majority of the revenue comes from renewal fees.

504

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

506

507 **14) Confirm Time and Date for Next Quarterly Meeting:**

508 Chair Kozlowski stated the next DOGAMI Board is currently scheduled for Thursday, September 19,
509 2024 at 8:30 a.m. – 1:00 p.m. in Portland or via Zoom. She confirmed this date is still acceptable for
510 the Board.

511

512 It was briefly discussed about having the meeting in person, which due time, will be discussed further
513 during the July 22, 2024 Special Board Meeting.

514

515 **15) Public Comment:**

516 Only written comments received prior to or by 1:30 p.m. on the day of the meeting were to be
517 accepted. Chair Kozlowski asked for any written public comments. No public comments.
518

519 **16) Board Adjourn:**

520 Chair Kozlowski adjourned the meeting at 1:25 p.m.

521

522 APPROVED

523

524

525

526

527



Linda Kozlowski, Chair