



Oregon

Kate Brown, Governor

Department of Geology and Mineral Industries

Administrative Offices

800 NE Oregon St., Suite 965

Portland, OR 97232-2162

(971) 673-1555

Fax: (971) 673-1562

www.oregongeology.org

March 27, 2019

1. What is the objective of the Tsunami workgroup?

The goal of the Tsunami Line Workgroup as proposed by DOGAMI is to thoughtfully evaluate: 1) roles and responsibilities among state agencies; 2) recent national tsunami research and mitigation design developments; and 3) the impact of the regulatory framework on local communities. Key considerations in this evaluation are protection of life, safety, and property; and that the economic implications of planning and preparing for a potentially devastating future tsunami must be balanced with present-day community needs.

From this evaluation, the Workgroup is anticipated to propose a legislative approach and timeline for any recommended statutory changes to requirements found in ORS 455.446 (Construction of certain facilities and structures in tsunami inundation zone prohibited) and ORS 445.447 (Regulation of certain structures vulnerable to earthquakes and tsunamis).

2. Is the line a hard line or a range?

The Tsunami Regulatory Line is a single line that delineates the upper limit of the tsunami inundation zone for implementing ORS 455.466 and ORS 455.447. The SB 379 tsunami regulatory line maps are available for download (<https://www.oregongeology.org/tsuclearinghouse/pubs-regmaps.htm>).

3. How are other states handling the tsunami line (do they have similar issues)?

The state of Oregon is the only state to have a tsunami regulatory line that mitigates for construction of certain essential facilities and special occupancy structures in the tsunami zone. California, Washington, Alaska, and Hawaii are currently evaluating adopting the new ASCE 7-16 Tsunami Design Standard for constructing facilities in the tsunami design zone.

4. What is the authority of DOGAMI for the tsunami line?

DOGAMI's authority for the tsunami line is SB 379 (1995) and can be found in ORS 455.446 and 455.447. The passage of SB 379 prohibited (with an exception process) construction of certain essential facilities and special occupancy structures in the tsunami inundation zone. The DOGAMI Governing Board may grant an exception to restrictions in the tsunami regulatory zone based on a set of criteria.

5. What is the impact of moving the tsunami line?

Moving the SB 379 tsunami regulatory line would likely expand the inundation zone to new areas and may reduce the inundation zone in other limited areas. Legislators testified that location of the line affects grant eligibility, as well as property and business values.

6. List of Coastal Caucus members?

The Coastal Caucus members include:

Representative David Brock Smith (Chair)

Senator Betsy Johnson (Vice Chair)

Representative Gomberg

Senator Heard

Representative McKeown

Representative Mitchell

Senator Roblan

Representative Witt

7. Why isn't there a member of the public on the workgroup?

Three potential public members have been identified by Coastal Caucus legislators and forwarded to the Governor's Office. These names were not available at the time the first meeting was scheduled.

8. When is the next meeting of the workgroup?

The next Tsunami Line Workgroup meeting is scheduled for April 16, 2019.

9. What was accomplished at the first meeting of the workgroup?

The first workgroup meeting resulted in introductions of participants and a brief description by each participant of how their organization's role intersected with the current tsunami line regulatory framework. There was also a request for further direction from the Governor's Office.

10. Has any entity applied for the building exception process in DOGAMI statutes?

To date, there has not been a request for an exception.

11. What does DOGAMI have for resources to look at the exception process if one comes up?

Resources are identified in the statute: *The applicant for an exception to the tsunami inundation zone established under paragraph (c) of this subsection shall pay any costs for department review of the application and the costs, if any, of the approval process. ORS 455.446(1)(g)*

Green Joan

From: Terpening John C
Sent: Wednesday, March 27, 2019 3:50 PM
To: Sen Taylor; Sen Frederick; Sen Girod; Rep Reardon; Rep Hayden; Rep Holvey; Rep Neron; Rep Smith D
Cc: Green Joan
Subject: DOGAMI response to questions
Attachments: DOGAMI Budget Hearing Response to Questions 3-27-19.docx; Mining Permits_Location_Map03_22_2019.pdf

Co-Chairs and members of the Subcommittee on Natural Resources,

The attached word document is DOGAMI's response to Senator Taylor's questions posed during the public testimony last Thursday.

Additionally, after DOGAMI's public hearing last Thursday, Representative Reardon asked if DOGAMI could follow up with a description of the range of permit types there are for Oregon mines.

That information on the permit types is below and attached is a map showing the permit locations:

The Department of Geology and Mineral Industries – Mineral Land Regulation and Reclamation program permits and regulates several different types of surface mines in Oregon, including aggregate mines (under Division 30), non-aggregate mines (under Division 35), mineral exploration (under Division 33), and chemical process mining (under Division 37). The divisions separate the types of mines by commodity, mining process, and disturbance.

Division 33 – **Exploration Permits** are issued for mineral exploration that is inherently less risk to the environment than surface or underground mining operations. DOGAMI currently has 15 active exploration permits.

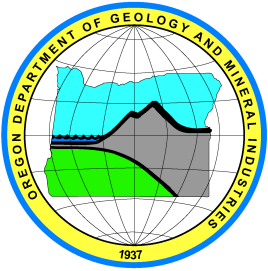
Division 30 – Aggregate Surface Mines and Division 35 – Non-Aggregate Surface Mines can hold **Provisional Operating Permits, Operating Permits, Limited Exemption Certificates, or Exclusion Certificates**. Approximately 95% of our Operating Permits (841 permits) are within Division 30 and common commodities include, but are not limited to, basalt, cinder, sand & gravel, decomposed granite, and shale. The remaining Operating Permits fall under Division 35 and the commodities include, but are not limited to, bentonite, diatomaceous earth, perlite, pumice, and gold and silver extracted with gravity separation. Provisional Operating Permits are essentially a pre-approval pending third party permits, and they do not allow mining activity (4 permits). Limited Exemptions are "grandfathered" sites that pre-date the MLRR program (95 certificates). Exclusion Certificates are for small sites that are exempt from reclamation (115 certificates).

Division 37 outlines the consolidated application process for chemical processing mines. DOGAMI is currently coordinating the first consolidated application process for a chemical processing mine in Oregon. Any commodity that must be extracted from ore using chemical processes will fall in this division.

We will also upload this information to OLIS as meeting materials under the appropriate date. Please let me know if you have questions or concerns.

Thanks,

DOGAMI MLRR Program Mining Permits



Oregon Department of Geology and Mineral Industries
Mineral Land Regulation & Reclamation Program
229 Broadalbin St. SW
Albany, OR 97321
Tele: 541-967-2039
Fax: 541-967-2075

Mining Permits

Division 30-35

- ▲ EC Aggregate
- ▲ EC Non-aggregate
- LE Aggregate
- OP Aggregate
- OP Non-aggregate
- ★ XP Aggregate
- ★ XP Non-aggregate



0 10 20 40 Miles

