



Oregon

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DOGAMI White Paper Regarding House Bill 2248

The Oregon Department of Geology and Mineral Industries (DOGAMI) regulates commercial mining activities in Oregon that excavate more than 5,000 cubic yards of material in any consecutive 12-month period. DOGAMI's authority to regulate mining activity is restricted to upland areas that are not considered "Waters of the State." The Oregon Department of State Lands (DSL) has the authority to regulate certain "in-stream" activities (including mining) that occur within "Waters of the State." The jurisdictional boundary that separates DOGAMI's upland authority from the in-water authority of DSL is commonly referred to as "Ordinary High Water" which is the approximate annual high water elevation associated with a river, creek, wetland, lake or other waterbody. DOGAMI does not regulate any mining activity that occurs in "Waters of the State" below the elevation of "Ordinary High Water."

House Bill 2248 (HB 2248) does not change DOGAMI's regulatory authority over commercial mining activity. If HB 2248 passes, DOGAMI would continue to only regulate commercial mining activities in Oregon that excavate more than 5,000 cubic yards of material in any consecutive 12-month period. Further, if HB 2248 passes, DOGAMI would still not have any authority to regulate any level of "in-stream" mining activity.

DOGAMI does regulate upland placer mining operations that excavate more than 5,000 cubic yards of material in any consecutive 12-month period. Currently there are 12 upland placer mining operations that are permitted under DOGAMI Operating Permits. The majority of these sites are located in eastern Oregon. The passage of HB 2248 would not impact these placer sites or cause an increase in the number of upland placer sites that need a DOGAMI Operating Permit. All 12 of the placer operations that are covered under DOGAMI Operating Permits use water and gravity to separate metallic gold from the sedimentary sand and gravel deposits. The passage of HB 2248 would not result in any changes to the way that DOGAMI regulates these sites.

HB 2248 will impact mining operations that use any type of froth floatation separation processes. Froth floatation involves the use of water and gravity along with chemicals such as surfactants or other chemical constituents. Because froth floatation separation uses chemicals to separate metals from metal ores; and the existing rules (OAR Chapter 632 Division 35) that govern this process are antiquated, DOGAMI is proposing to apply the rules that govern the chemical process mining operations (OAR Chapter 632 Division 37) to the froth floatation process.

HB 2248 continues to have the support of Calico Resources USA Corp., the Northwest Mining Association, and many other small-scale miners throughout the state. DOGAMI hopes that this document clarifies the potential impact and intent of HB 2248. Please contact DOGAMI with any questions or concerns regarding this bill.

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