

**MALHEUR COUNTY COURT MINUTES**  
**March 13, 2024**

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Present in the meeting room was Administrative Officer Lorinda DuBois and Economic Development Director Taylor Rembowski. Notice of the meeting was posted on the County website, Courthouse bulletin board and emailed to the Argus Observer, Malheur Enterprise and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument # 2024-722

**MCDERMITT LITHIUM PROJECT - JINDALEE RESOURCES/HI-TECH MINERALS**

Jindalee Resources Vice President Brett Marsh met with the Court. Mr. Marsh updated the Court on the McDermitt Lithium Project and shared a slide presentation. (Mr. Marsh noted that some of his comments will be forward-looking and do carry some risk of not coming to fruition; additionally, there are potentially items that he is not able to discuss in a public meeting.) The McDermitt Lithium Project site is one of the largest lithium deposits in the world and is an attractive asset for the United States (US). The US has a pretty significant import of lithium and other critical minerals that come in - the majority comes in via China, which is a pretty high national security risk. Of the approximate 4 million active service members, each one of them carries between 15 - 25 pounds of lithium on their person to manage their day-to-day activities. The project is eligible for a number of government incentives under the Inflation Reduction Act and the Defense Production Act.

Sheriff Travis Johnson joined the meeting.

The Pre-Feasibility Study should be completed July 2024 and will give the first picture of what a potential mining operation and processing operation could look like. An application has been made with Bureau of Land Management (BLM) to continue to expand drilling to further define the resource and make sure it's eligible for profitable operation. Jindalee is currently working with BLM on the NEPA (National Environmental Policy Act) Environmental Assessment; the first public comment period was completed last September and those comments are being incorporated into the Environmental Assessment; and there will be another public comment period to comment on the contents of the Environmental Assessment. Once the Environmental Assessment process is completed it should allow for additional exploration under the Exploration Plan. A typical project in the United States can take 20-25 years before the project becomes an operation. In general, worldwide, only about one out of every one thousand projects reach production.

The Exploration Plan of Operations is about a five-year program and covers 7200 acres. Within the project area acres 262 sites have been identified for investigation over the five years. Total disturbance is about 99 acres, which includes new access roads and the drill sites themselves. There

will also be a reclamation process. Drill operations will take place July-November and it is hoped to start in the coming year.

One of the key components of obtaining the federal opportunities requires the development of a Community Benefits Plan. This entails laying out a strategy for how the project partners with the community. HiTech hired a consulting firm to assist with the Community Benefits Plan process. The idea is to bring together the different projects and opportunities to invest in the workforce, advance diversity, inclusion and accessibility, and identify training and other labor type opportunities that can both help the region and facilitate activities in the project. A community benefits agreement is an agreement between the company and community groups or coalitions. As part of this process, a community advisory board will be created - members from the community and various businesses will help guide investments in the community and investments in various infrastructure and other types of projects that are needed.

Mr. Marsh answered various questions from the Court members and Sheriff Johnson.

Commissioner Jacobs commented that he was curious how an agreement would be drafted that benefits the Oregon communities when the Oregon population is 3 hours away from the project site. Mr. Marsh explained that this process is still being worked on and developed; the consultant and Mr. Marsh have been in contact with various economic development groups and a number of items have been derived from those meetings. Ideas include creating training and placement programs with Treasure Valley Community College and other types of things that could develop new training and skills for workers that could be applied at not only the mine but in other technical areas of the County.

Judge Joyce asked if there were any royalties; there are none at this time.

Sheriff Johnson inquired how many workers there would be through the exploration phase and also the actual mining phase. Exploration is typically a light footprint - approximately 50 total people that would commute from McDermitt into the project. Development of a mine during the construction phase would possibly be 750-1200 contractors and personnel. Long-term operation of the mine is potentially 400-600 full-time employees. Transportation of the workers will be a consideration in an effort to minimize traffic for safety and wear-and-tear on the road.

Commissioner Jacobs inquired if the entire 7200 acres would be mined if lithium was found underneath the entire 7200 acres. Mr. Marsh said potentially not because the lithium may not be economically viable across the entire 7200 acres.

Commissioner Mendiola asked how much drilling has been completed so far and how much overburden there is with open-pit mining. 62 holes have been drilled. As to the overburden, the analysis has not gotten that far yet, but initial studies have shown that the waste rock material is pretty low for the project. Commissioner Mendiola also inquired how the wastewater from the drilling process is kept away from the cattle in the area. Mr. Marsh said that generally there is

small sump (10 ft x 10 ft or so) that is fenced off to keep people and animals out but the main part of the work they endeavor to make sure that the cattle have completed grazing in the particular allotment before drilling begins.

The project property is on federal ground that has grazing rights. Ongoing discussions are taking place with the ranchers in the area (including discussions on roads).

A temporary water-right was secured to put in a supply well specifically for water supply to the project for drilling makeup water and dust control.

Jindalee/HiTech Minerals requested a letter of support for an application to the Department of Energy for a funding opportunity. The Court took the request under advisement.

See instrument #2024-728 for the slide presentation.

### **CROSSING PERMITS**

Commissioner Jacobs moved to approve Crossing Permit #31-24 to Romans Precision Irrigation for work on Pioneer Road #917; Permit # 32-24 to Romans Precision Irrigation for work on Cherry Road #1552; and Permit # 33-24 to Idaho Power Company for work on Community Road #932, Foothill Drive #869, Chester Road #861, Plum Lane #1068, Hyline Lane #1077, and Power Road #907. Commissioner Mendiola seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

### **PLANNING COMMISSION**

Planner Tatiana Burgess met with the Court and explained that Planning Commission member Linda Simmons submitted her resignation effective March 1, 2024; and shared that Allen Montgomery was interested in serving on the Planning Commission. Mr. Montgomery is a retired firefighter/EMT (Emergency Medical Technician). Commissioner Jacobs moved to accept the resignation of Linda Simmons from the Planning Commission and moved to appoint Allen Montgomery to the Planning Commission. Commissioner Mendiola seconded and the motion passed unanimously. The Court expressed appreciation for Ms. Simmons many years of service on the Planning Commission. There is still one vacant position on the Planning Commission.

### **MINUTES**

Commissioner Jacobs moved to approve Court Minutes of February 28, 2024 as written. Commissioner Mendiola seconded and the motion passed unanimously.

### **FUND TRANSFERS RESOLUTION**

Commissioner Mendiola moved to approve Resolution R24-07: In the Matter of Fund Transfers Under Local Budget Law ORS (Oregon Revised Statutes) 294.463. Commissioner Jacobs seconded and the motion passed unanimously. Funds are transferred within the Jail budget. See instrument # 2024-723

**MCDERMITT LITHIUM PROJECT - JINDALEE RESOURCES/HI-TECH MINERALS**

The Court members and Sheriff Johnson further discussed the McDermitt Lithium Project. Increased patrols in the area may be needed in the future. Ambulance services will need to be considered.

**COURT ADJOURNMENT**

Judge Joyce adjourned the meeting.