



MALHEUR COUNTY

PLANNING DEPARTMENT
251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

File Number: _____
Application Fee: _____
Date Received: _____

GENERAL APPLICATION

LANDOWNER INFORMATION

Name: Calico Resources USA Corp
Address: 665 Anderson Street
City/State/Zip: Winnemucca, NV 89445
Phone: (775) 625-7950
Email: carlo@paramountnevada.com

APPLICANT INFORMATION ☐ Check box if same

Name: Garrett H. Stephenson
Address: 1211 SW Fifth Avenue, Suite 1900
City/State/Zip: Portland, OR 97204
Phone: (503) 796-2893
Email: gstephenson@schwabe.com

PROPERTY INFORMATION

Township: 22S Range: 44E Section: n/a Tax Lot: 101 Ref #: _____ Acres: 62 Zoning: _____
Address: South on Russel Road, Cow Hollow Road, Twin Springs Road to Patent Parcel
Current use: Mineral exploration/mining Use of surrounding properties: Open range, BLM land
Proposed use: Mineral exploration/mining Permitted subject to section: _____

DETAILED SPECIFIC WRITTEN REQUEST:

**Indicate proposed use and intent of the application*

Extension of the existing CUP permit (County File No. 2018-10-012) and the sage grouse permit (County Order No. GO-05-19) to May 23, 2026.

SIGNATURES:

Property Owner(s): CBH Date: May 21, 2025
Property Owner(s): _____ Date: _____
Applicant(s): [Signature] Date: May 21, 2025
Applicant(s): _____ Date: _____

**BEFORE THE PLANNING COMMISSION AND PLANNING DIRECTOR FOR
MALHEUR COUNTY, OREGON**

Concurrent requests by Calico Resources Corp. for a two-year extension of its Conditional Use Permit (CUP) for the Grassy Mountain Mine (County File No. 2018-10-012) pursuant to MCC 6-6-12, a one-year extension of the CUP pursuant to OAR 660-033-0140, and one-year extension of the Sage Grouse Permit (County Order No. GO-05-19) pursuant to OAR 660-033-0140.

**APPLICANT'S EXPLANATION OF
REQUEST AND STATEMENT
DEMONSTRATING COMPLIANCE WITH
THE APPLICABLE CRITERIA**

I. INTRODUCTION

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the "Grassy Mountain Mine" or the "Project") located on Tax Lot 101 of Assessor's Map No. 22S44E (the "Patent Parcel"). The first was a Conditional Use Permit (the "CUP") to allow the mining activity, pursuant to Malheur County Code ("MCC") 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat (the "SGP"), required by OAR 660-023-0115 (County Order No. GO-05-19).

The Planning Commission approved the CUP on May 23, 2019. The County Court approved the Sage Grouse Permit on July 3, 2019. Under MCC 6-6-12, approved conditional use permits are valid for two years, unless extended:

"A. Authorization of a conditional use shall be void after two (2) years or such lesser time as the planning commission may specify, unless substantial construction pursuant thereto has taken place. However, the planning commission may extend authorization for additional periods, on request or on its own motion, without the necessity of following any formal procedures such as those set out in this chapter and in chapter 10 of this title."

Based on the above section, the initial approval periods for the CUP and SGP ended on May 23, 2021 and July 3, 2021, respectively. The Planning Commission has the authority and discretion to extend Calico's authorization of its CUP for an indefinite number of additional "periods," which term in context refers to periods of two years. No specific showings are required, and the MCC does not require the Applicant to request an extension within the original approval period. The County granted an initial two-year extension of the CUP on June 28, 2021 (File No. 2021-04-013). **Exhibit 1.** The County granted a second two-year extension July 10, 2023, allowing the CUP to remain valid until May 23, 2025 (File No. 2023-06-007). **Exhibit 2.** Therefore, the CUP remains valid for purposes of the Malheur County Code.

OAR 660-033-0140 governs extensions of certain land use approvals on "agricultural" land or "forest land" located outside of urban growth boundaries. MCC 6-6-12 addresses time limits and extensions for CUPs. Read together, OAR 660-033-0140(2) and MCC 6-6-12(A)

provide that initial approvals for SGP and CUP are valid for two years and multiple extension may be granted – twelve months each for the SGP and CUP under OAR 660-033-0140(4) and two years each for the CUP under MCC 6-6-12(B)(1). Stated simply, the Malheur County Code provides an unlimited number of two year extension for the CUP, but does not address the SGP at all, and Oregon law provides an unlimited number of one year extensions for the CUP and SGP. Out of an abundance of caution, since 2021 the Applicant has requested extensions under 660-033-0140(4) every year and extensions under MCC 6-6-12(B)(1) every other year.

Requests for extensions under OAR 660-033-0140(4) were submitted prior to the end of the extended approval periods. In addition to the two-year extension of the CUP approved under MCC 6-6-12(B)(1) (explained above), one-year extensions of the SGP and CUP have been requested and approved each year, as allowed by OAR 660-033-0140(4). The County approved the following administrative extensions for the SGP and CUP pursuant to OAR 660-033-0140.

- June 25, 2021 (File No. 2021-04-014 and 2021-04-015, **Exhibit 3**).
- May 19, 2022 (File Nos. 2022-05-14 and 2022-05-15, **Exhibit 4**).
- May 23, 2023 (File Nos. 2023-06-008 and 2023-06-009, **Exhibit 5**).
- May 29, 2024 (File Nos. 2024-05-012 and 2024-05-014, **Exhibit 6**).

Therefore, the CUP and SGP remain valid under OAR 660-033-0140(4).

II. REQUEST

This request includes concurrent but separate requests for an extension of the CUP pursuant to MCC 6-6-12 (two years) and OAR 660-033-0140 (one year), as well as a request for an extension of the SGP for one year pursuant to OAR 660-033-0140(2). The Applicant also requests that the extensions be made effective on the month and day of the original approval, so that the extensions provide for the following approval periods:

County Approval Date	Approval Period	CUP Deadline (As Extended)	SGP Deadline (As Extended)
	Original Approval Deadlines	May 23, 2021	July 2, 2021
June 25, 2021	OAR 660-033-0140 Extended Approval Period (1 year)	May 23, 2022	July 3, 2022
June 28, 2021	MCC 6-6-7 Extended Approval Period (2 years)	May 23, 2023	N/A
May 19, 2022	OAR 660-033-0140 Extended Approval Period (1 year)	May 23, 2023	July 3, 2023

May 23, 2023	OAR 660-033-0140 Extended Approval Period (1 year)	May 23, 2024	July 3, 2024
July 10, 2023	MCC 6-6-7 Extended Approval Period (2 years)	May 23, 2025	N/A
May 29, 2024	OAR 660-033-0140 Extended Approval Period (1 year)	May 23, 2025	July 3, 2025
<i>Proposed</i>	<i>MCC 6-6-7 Extended Approval Period (2 years)</i>	<i>May 23, 2027</i>	<i>N/A</i>
<i>Proposed</i>	<i>OAR 660-033-0140 Extended Approval Period (1 year)</i>	<i>May 23, 2026</i>	<i>July 3, 2026</i>

Out of an abundance of caution, this request includes overlapping extensions of the CUP under both MCC 6-6-7 and OAR 660-033-0140 due to the uncertainty of whether or not the Patent Parcel, which is zoned ERU, constitutes “agricultural land” as defined in OAR 660-033-0020. In so doing, the Applicant does not concede that the Patent Parcel meets that definition.

III. PROCEDURAL REQUIREMENTS

A. MCC 6-6-12

Extensions under MCC 6-6-12 may be approved by a majority vote of the Planning Commission without public notice. However, the Applicant understands that the Planning Commission may only take action on a matter in a public hearing; therefore, the Applicant requests that a hearing be held on the MCC 6-6-12 extension application for the CUP.

B. OAR 660-033-0140

Extensions pursuant to OAR 660-033-0140 are granted by the County and are not land use decisions: “Approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.” OAR 660-033-0140(3). Therefore, they may be granted by the Malheur County Planning Director (the “Director”) without a hearing or public notice. For reference, OAR 660-033-0140 is enclosed in this Application as **Exhibit 7**.

IV. APPLICABLE CRITERIA

A. MCC 6-6-12

There are no approval criteria for extensions authorized by MCC 6-6-12. The Planning Commission can find that the extension request should be approved for the reasons described below.

3 - APPLICANT’S EXPLANATION OF REQUEST AND STATEMENT DEMONSTRATING COMPLIANCE WITH THE APPLICABLE CRITERIA

B. OAR 660-033-0140

The approval criteria for one-year extensions under OAR 660-033-0140 are listed below, followed by responses explaining why they are met. Please note that the responses apply equally to the CUP and SGP.

A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

RESPONSE: This document constitutes the Applicant's written extension request. This criterion is met.

(b) The request is submitted to the county prior to the expiration of the approval period;

RESPONSE: This request is submitted prior to or on May 23 and July 3 of 2025, and therefore satisfies this criterion.

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

RESPONSE: Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries ("DOGAMI") approves a chemical process mining permit (the "Consolidated Permit"). Application for the Consolidated Permit required a land use approval and associated land use compatibility statements from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as **Exhibit 8**. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. DOGAMI deemed the final baseline data report and the Consolidated Permit Application complete in 2023, and accepted Calico's environmental evaluation on October, 3 2024. DOGAMI's 225-day period started the same day. Currently, DOGAMI is in the process of preparing draft permits but the process is not yet complete. Most recently, the Applicant continued its engagement with DOGAMI's Technical Review Team at its March 6, 2025 meeting. **Exhibit 9**. Draft DOGAMI permits are due on May 16, 2025.

In addition, the Applicant requires an approved Plan of Operations ("POO") from BLM before it can begin construction. BLM is required to conduct an Environmental Impact Statement ("EIS") before approving the POO. A draft scoping report for the EIS was issued in July, 2024, a

draft EIS (“DEIS”) is expected to be issued by BLM in August. A final BLM decision is expected by January 31, 2026.¹

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

RESPONSE: The Director can find that the extremely complex and slow Consolidated Permit process, which process cannot be controlled by the Applicant, constitutes a reason that the Applicant was unable to begin development, for which the Applicant is not responsible.

(4) Except for “residential development” as defined in section (6), additional one-year extensions may be authorized where applicable criteria for the decision have not changed.

RESPONSE: The Applicant has reviewed the applicable criteria to the CUP and SGP and there have been no applicable changes those substantive criteria. This standard is met.

V. CONCLUSION

For the above reasons, the Planning Commission can find that a two-year extension of the CUP under MCC 6-6-12 is justified and should grant the extension on that basis. The Director can also find that one-year extensions for the CUP and SGP satisfy the criteria in OAR 660-033-0140(2) and should approve the extensions on that basis.

¹ See <https://eplanning.blm.gov/eplanning-ui/project/2030186/510>.

Before the Planning Commission

Planning Department File No. 2021-04-013

Extension of Conditional Use Permit 2018-10-012

Planning Commission Meeting Date: June 24, 2021

- 1. APPLICANT:** Calico Resources USA Corp
665 Anderson Street
Winnemucca, NV 89445
- 2. OWNER OF RECORD:** Calico Resources USA Corp
665 Anderson Street
Winnemucca, NV 89445
- 3. PROPOSED ACTION:** Extension Request for Grassy Mountain Project CUP 2018-10-012.
- 4. PROPERTY IDENTIFICATION:** Tax lot 101 of Malheur County Assessor's Map 22S44E.
- 5. PROPERTY LOCATION AND DIRECTIONS:** The property is located approximately 22 miles south of Vale. It is accessed by driving south from highway 20 on Russell Road approximately 2.7 miles, then continuing south on Cow Hollow Road approximately 4.1 miles to Twin Springs Road, then continuing south for approximately 15.2 miles.
- 6. ZONING:** Exclusive Range Use (C-A2).
- 7. PARCEL SIZE:** The parcel is 61.98 acres.
- 8. PARCEL USE:** Vacant land, steep hill side, non-irrigated.
- 9. SURROUNDING USE:** The surrounding land is entirely federal and managed by the Bureau of Land management. Land uses primarily include open cattle rant, hunting, and other recreation activities.
- 10. ACCESS:** The primary access is located at the intersection of Highway 20 and Russell Road.
- 11. ZONING HISTORY:** The parcel was created within BLM land through the patenting of Calico's mining claim in 1986. A conditional use permit (2018-10-012) was approved on May 23, 2019.

BACKGROUND INFORMATION

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the “Grassy Mountain Mine”) located on Tax Lot 101 of Assessor’s Map No. 22S44E. The first was a Conditional Use Permit (the “CUP”) to allow the mining activity, pursuant to Malheur County Code (“MCC”) 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat.

Calico’s CUP was approved on May 23, 2019 and is set to expire on May 23, 2021. To date, no construction has occurred on the subject property because Calico is still working through state and federal permitting processes, which it must complete before it can begin construction of the mine and related facilities. On April 23, 2021, Calico’s legal counsel filed a timely request for a two-year extension, which if approved would allow the CUP to remain valid until May 23, 2023.

APPLICABLE CRITERIA

Under MCC 6-6-12, approved conditional use permits are valid for two years, unless extended by the Planning Commission:

“A. Authorization of a conditional use shall be void after two (2) years or such lesser time as the planning commission may specify, unless substantial construction pursuant thereto has taken place. However, the planning commission may extend authorization for additional periods, on request or on its own motion, without the necessity of following any formal procedures such as those set out in this chapter and in chapter 10 of this title.”

An extension under MCC 6-6-12 is a ministerial act that the MCC delegates to the Planning Commission instead of the Planning Director. No specific procedure or public notice is required. However, public notice of Calico’s request was provided to the Bureau of Land Management (the only landowner within 500 feet) and published in the newspaper under the County’s normal notice procedures. There are no applicable criteria for an extension of a conditional use permit. There is no limit on the number of times such an extension can be approved.

Calico provided the following explanation of why the extension is necessary:

“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (“DOGAMI”) approves a chemical mining permit (the “Consolidated Permit”). Application for the Consolidated Permit required a land use approval and associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as Exhibit 2. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness

determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent DOGAMI Technical Review Team meeting, held on February 2, 2021, which demonstrate the Applicant's diligence in obtaining the Consolidated Permit, are included as Exhibit 3. In addition, the Applicant requires a final approval from BLM, which has yet to be approved."

The Applicant's full written request is enclosed as **Exhibit 1**.

CONCLUSION

Based upon the foregoing finding of fact, the Malheur County Planning Commission makes the following conclusion and decision:


Calico Resources USA Corp, through their attorney, has filed a timely request for an extension of their conditional use permit (planning action number 2018-10-012), and has met the requirements of Malheur County Code 6-6-12.

ORDER

This application for an extension pursuant to Malheur County Code 6-6-12 is APPROVED. CUP 2018-10-012 is valid until May 23, 2023 unless a subsequent extension is granted.



Planning Commission Chair
Kathy Clarich



Date

Before the Malheur County Planning Commission

**Planning Department File No. 2023-06-007
Extension of Conditional Use Permit 2018-10-012**

Planning Commission Meeting Date: June 22, 2023

- 1. APPLICANT:** Calico Resources USA Corp
665 Anderson Street
Winnemucca, NV 89445
- 2. OWNER OF RECORD:** Calico Resources USA Corp
665 Anderson Street
Winnemucca, NV 89445
- 3. PROPOSED ACTION:** Extension Request for Grassy Mountain Project CUP 2018-10-012.
- 4. PROPERTY IDENTIFICATION:** Tax lot 101 of Malheur County Assessor's Map 22S44E.
- 5. PROPERTY LOCATION AND DIRECTIONS:** The property is located approximately 22 miles south of Vale. It is accessed by driving south from highway 20 on Russell Road approximately 2.7 miles, then continuing south on Cow Hollow Road approximately 4.1 miles to Twin Springs Road, then continuing south for approximately 15.2 miles.
- 6. ZONING:** Exclusive Range Use (C-A2).
- 7. PARCEL SIZE:** The parcel is 61.98 acres.
- 8. PARCEL USE:** Vacant land, steep hill side, non-irrigated.
- 9. SURROUNDING USE:** The surrounding land is entirely federal and managed by the Bureau of Land management. Land uses primarily include open cattle rant, hunting, and other recreation activities.
- 10. ACCESS:** The primary access is located at the intersection of Highway 20 and Russell Road.
- 11. ZONING HISTORY:** The parcel was created within BLM land through the patenting of Calico's mining claim in 1986. A conditional use permit (2018-10-012) was approved on May 23, 2019.

BACKGROUND INFORMATION

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the “Grassy Mountain Mine”) located on Tax Lot 101 of Assessor’s Map No. 22S44E. The first was a Conditional Use Permit (the “CUP”) to allow the mining activity, pursuant to Malheur County Code (“MCC”) 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat.

Calico’s CUP was approved on May 23, 2019. On June 28, 2021, the Planning Commission granted a two-year extension to the CUP, which extension was set to expire on May 23, 2023. On May 22, 2023, Calico’s legal counsel filed a timely request for a two-year extension, which if approved would allow the CUP to remain valid until May 23, 2025. To date, no construction has occurred on the subject property because Calico is still working through state and federal permitting processes, which it must complete before it can begin construction of the mine and related facilities. Evidence submitted with the application indicates that Calico is diligently pursuing its mining permit(s) through the Oregon Department of Geology and Mineral Industries (“DOGAMI”).

APPLICABLE CRITERIA

Under MCC 6-6-12, approved conditional use permits are valid for two years, unless extended by the Planning Commission:

“A. Authorization of a conditional use shall be void after two (2) years or such lesser time as the planning commission may specify, unless substantial construction pursuant thereto has taken place. However, the planning commission may extend authorization for additional periods, on request or on its own motion, without the necessity of following any formal procedures such as those set out in this chapter and in chapter 10 of this title.”

An extension under MCC 6-6-12 is a ministerial act that the MCC delegates to the Planning Commission instead of the Planning Director. No specific procedure or public notice is required. However, public notice of Calico’s request was provided to the Bureau of Land Management (the only landowner within 500 feet) and published in the newspaper under the County’s normal notice procedures. There are no applicable criteria for an extension of a conditional use permit. There is no limit on the number of times such an extension can be approved.

Calico provided the following explanation of why the extension is necessary:

“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (“DOGAMI”) approves a chemical mining permit (the “Consolidated Permit”). Application for the Consolidated Permit required a land use approval and associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as Exhibit 5. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness

determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent meeting held on March 15, 2023, regarding the status of the revised Consolidated Permit Application and next steps demonstrate the Applicant's ongoing engagement with DOGAMI's Technical Review Team in obtaining the Consolidated Permit, are included as Exhibit 6.

In addition, the Applicant requires a final approval from BLM, which has yet to be approved.

The Applicant's full written request is enclosed as **Exhibit 1**, and as is incorporated into this decision.

CONCLUSION

Based upon the foregoing finding of fact, the Malheur County Planning Commission makes the following conclusion and decision:

Calico Resources USA Corp, through their attorney, has filed a timely request for an extension of their conditional use permit (planning action number 2018-10-012), and has met the requirements of Malheur County Code 6-6-12.

ORDER

This application for an extension pursuant to Malheur County Code 6-6-12 is APPROVED. CUP 2018-10-012 is valid through May 23, 2025 unless a subsequent extension is granted.



Planning Commission Chair



Date



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

NOTICE OF ADMINISTRATIVE DECISION

Planning Department File No. 2021-04-014

1. GENERAL INFORMATION:

- a. OWNER OF RECORD:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445
- b. APPLICANT:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445

- 2. PROPOSED ACTION:** One-year extension of the Grassy Mountain Conditional Use Permit 2018-10-012 pursuant to OAR 660-033-0140.
- 3. PROPERTY IDENTIFICATION:** Tax Lot 101, Assessor's Map No. 22S44E.
- 4. ZONING:** Exclusive Range Use (C-A2).
- 5. PARCEL SIZE:** 62 acres.
- 6. PARCEL USE:** The property is currently vacant. A number of testing wells are located on the parcel, as well as access roads constructed to access test drilling and well sites.

7. SUMMARY & BACKGROUND

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the "Grassy Mountain Mine" or the "Project") located on Tax Lot 101 of Assessor's Map No. 22S44E (the "Patent Parcel"). The first was a Conditional Use Permit (the "CUP") to allow the mining activity, pursuant to Malheur County Code ("MCC") 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat (the "SGP"), required by OAR 660-023-0115 (County Order No. GO-05-19). The Planning Commission approved the CUP on May 23, 2019. The County Court approved the SGP on July 3, 2019.

8. PREVIOUS ACTIONS:

County File No. 2018-10-012

County Order No. GO-05-19

9. PROCEDURAL REQUIREMENTS

Pursuant to OAR 660-033-0140(3), “approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.” The Director finds that this Decision is not a land use decision as defined in ORS 197.015. Because this extension does not result in a “land use decision,” it is not subject to appeal to the Oregon Land Use Board of appeals and is therefore exempt from the notice and hearing requirements of ORS 197.763. There are no specific procedural requirements pertaining to this Decision; therefore, the Director has processed the Applicant’s request as an administrative decision. A concurrent extension request under applicable MCC provisions was also timely filed by the Applicant and will be subject to review and approval by the Planning Commission, as required.

10. APPLICABLE CRITERIA AND FINDINGS OF FACT:

The approval criteria for one-year extensions under OAR 660-033-0140 are listed below, followed by the Director’s Findings of Fact.

(2) A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

FINDING: The Applicant filed a written request for an extension of the CUP pursuant to OAR 660-033-0140 on April 23, 2021.

This criterion is met.

(b) The request is submitted to the county prior to the expiration of the approval period;

FINDING: The request was submitted prior to May 23, 2021.

This criterion is met.

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

FINDING: The Applicant provided the following statement:

“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (‘DOGAMI’) approves a chemical mining permit (the ‘Consolidated Permit’). Application for the Consolidated Permit required a land use approval and associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as Exhibit 2. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent DOGAMI Technical Review Team meeting, held on February 2, 2021, which demonstrate the Applicant’s diligence in obtaining the Consolidated Permit, are included as Exhibit 3. In addition, the Applicant requires a final approval from BLM, which has yet to be approved.”

This criterion is met.

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

FINDING: The Director concurs with the Applicant’s statement, above. Specifically, the Director finds that mining and mine facility construction cannot begin until the Applicant receives approval of its DOGAMI consolidated permit. The Director finds that the Applicant has diligently pursued DOGAMI approval. The Director also finds that the consolidated permit process involves substantially more delay than local land use permitting processes and is not subject to the same 150-day approval deadline, making it difficult or impossible for the Applicant to feasibly begin mining or mine construction within the timeframe required by the Conditional Use Permit.

This criterion is met.

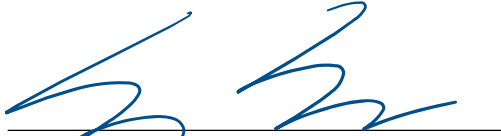
11. EXHIBITS:

A. Applicant’s Written Extension Request

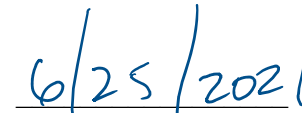
12. ADMINISTRATIVE DECISION:

IN REGARD TO PLANNING FILE: 2021-04-014

The Malheur County Planning Director hereby APPROVES the requested extension, which extends the validity of the Grassy Mountain CUP (County File No. 2018-10-012) to May 23, 2022.



Planning Director



Date



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

NOTICE OF ADMINISTRATIVE DECISION

Planning Department File No. 2021-04-015

1. GENERAL INFORMATION:

a. OWNER OF RECORD: **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445

b. APPLICANT: **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445

2. PROPOSED ACTION: One-year extension of the Grassy Mountain Sage Grouse Permit (County Order No. GO-05-19) pursuant to OAR 660-033-0140.

3. PROPERTY IDENTIFICATION: Tax Lot 101, Assessor's Map No. 22S44E.

4. ZONING: Exclusive Range Use (C-A2).

5. PARCEL SIZE: 62 acres.

6. PARCEL USE: The property is currently vacant. A number of testing wells are located on the parcel, as well as access roads constructed to access test drilling and well sites.

7. SUMMARY & BACKGROUND

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the "Grassy Mountain Mine" or the "Project") located on Tax Lot 101 of Assessor's Map No. 22S44E (the "Patent Parcel"). The first was a Conditional Use Permit (the "CUP") to allow the mining activity, pursuant to Malheur County Code ("MCC") 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat (the "SGP"), required by OAR 660-023-0115 (County Order No. GO-05-19). The Planning Commission approved the CUP on May 23, 2019. The County Court approved the SGP on July 3, 2019.

8. PREVIOUS ACTIONS:

9. PROCEDURAL REQUIREMENTS

Pursuant to OAR 660-033-0140(3), “approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.” The Director finds that this Decision is not a land use decision as defined in ORS 197.015. Because this extension does not result in a “land use decision,” it is not subject to appeal to the Oregon Land Use Board of appeals and is therefore exempt from the notice and hearing requirements of ORS 197.763. There are no specific procedural requirements pertaining to this Decision; therefore, the Director has processed the Applicant’s request as an administrative decision. A concurrent extension request under applicable MCC provisions was also timely filed by the Applicant and will be subject to review and approval by the Planning Commission, as required.

10. APPLICABLE CRITERIA AND FINDINGS OF FACT:

The approval criteria for one-year extensions under OAR 660-033-0140 are listed below, followed by the Director’s Findings of Fact.

(2) A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

FINDING: The Applicant filed a written request for an extension of the SGP pursuant to OAR 660-033-0140 on April 23, 2021.

This criterion is met.

(b) The request is submitted to the county prior to the expiration of the approval period;

FINDING: The request was submitted prior to July 3, 2021.

This criterion is met.

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

FINDING: The Applicant provided the following statement:

“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (‘DOGAMI’) approves a chemical mining permit (the ‘Consolidated Permit’). Application for the Consolidated Permit required a land use approval and

associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as Exhibit 2. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent DOGAMI Technical Review Team meeting, held on February 2, 2021, which demonstrate the Applicant's diligence in obtaining the Consolidated Permit, are included as Exhibit 3. In addition, the Applicant requires a final approval from BLM, which has yet to be approved."

This criterion is met.

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

FINDING: The Director concurs with the Applicant's statement, above. Specifically, the Director finds that mining and mine facility construction cannot begin until the Applicant receives approval of its DOGAMI consolidated permit. The Director finds that the Applicant has diligently pursued DOGAMI approval. The Director also finds that the consolidated permit process involves substantially more delay than local land use permitting processes and is not subject to the same 150-day approval deadline, making it difficult or impossible for the Applicant to feasibly begin mining or mine construction within two years of approval of the SGP.

This criterion is met.

11. EXHIBITS:

A. Applicant's Written Extension Request

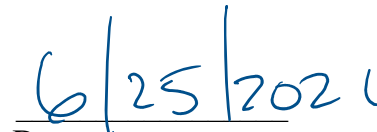
12. ADMINISTRATIVE DECISION:

IN REGARD TO PLANNING
FILE: 2021-04-015

The Malheur County Planning Director hereby APPROVES the requested extension, which extends the validity of the Grassy Mountain SGP (County Order No. GO-05-19) to July 3, 2022.



Planning Director



Date



NOTICE OF ADMINISTRATIVE DECISION

Planning Department File No. 2022-05-014

1. GENERAL INFORMATION:

- a. OWNER OF RECORD:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445
- b. APPLICANT:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445

- 2. PROPOSED ACTION:** One-year extension of the Grassy Mountain Conditional Use Permit 2018-10-012 pursuant to OAR 660-033-0140.
- 3. PROPERTY IDENTIFICATION:** Tax Lot 101, Assessor's Map No. 22S44E.
- 4. ZONING:** Exclusive Range Use (C-A2).
- 5. PARCEL SIZE:** 62 acres.
- 6. PARCEL USE:** The property is currently vacant. A number of testing wells are located on the parcel, as well as access roads constructed to access test drilling and well sites.

7. SUMMARY & BACKGROUND

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the "Grassy Mountain Mine" or the "Project") located on Tax Lot 101 of Assessor's Map No. 22S44E (the "Patent Parcel"). The first was a Conditional Use Permit (the "CUP") to allow the mining activity, pursuant to Malheur County Code ("MCC") 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat (the "SGP"), required by OAR 660-023-0115 (County Order No. GO-05-19). The Planning Commission approved the CUP on May 23, 2019. The County Court approved the SGP on July 3, 2019. The Planning Department then approved extensions of the CUP and SGP on June 25, 2021 pursuant to OAR 660-033-0140. The CUP was extended to May 23, 2022, and the SGP was extended to July 3, 2022.

8. PREVIOUS ACTIONS:

County File No. 2018-10-012

9. PROCEDURAL REQUIREMENTS

Pursuant to OAR 660-033-0140(3), “approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.” The Director finds that this Decision is not a land use decision as defined in ORS 197.015. Because this extension does not result in a “land use decision,” it is not subject to appeal to the Oregon Land Use Board of appeals and is therefore exempt from the notice and hearing requirements of ORS 197.763. There are no specific procedural requirements pertaining to this Decision; therefore, the Director has processed the Applicant’s request as an administrative decision. A concurrent extension request under applicable MCC provisions was also timely filed by the Applicant and will be subject to review and approval by the Planning Commission, as required.

10. APPLICABLE CRITERIA AND FINDINGS OF FACT:

The approval criteria for one-year extensions under OAR 660-033-0140 are listed below, followed by the Director’s Findings of Fact.

(2) A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

FINDING: The Applicant filed a written request for an extension of the CUP pursuant to OAR 660-033-0140 on May 16, 2022.

This criterion is met.

(b) The request is submitted to the county prior to the expiration of the approval period;

FINDING: The request was submitted prior to May 23, 2022.

This criterion is met.

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

FINDING: The Applicant provided the following statement:

“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (‘DOGAMI’) approves a chemical mining permit (the ‘Consolidated Permit’). Application for the Consolidated Permit required a land use approval and

associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as Exhibit 4. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent DOGAMI Technical Review Team meeting, held on February 2, 2021, which demonstrate the Applicant's diligence in obtaining the Consolidated Permit, are included as Exhibit 5. In addition, the Applicant requires a final approval from BLM, which has yet to be approved."

This criterion is met.

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

FINDING: The Director concurs with the Applicant's statement, above. Specifically, the Director finds that mining and mine facility construction cannot begin until the Applicant receives approval of its DOGAMI consolidated permit. The Director finds that the Applicant has diligently pursued DOGAMI approval. The Director also finds that the consolidated permit process involves substantially more delay than local land use permitting processes and is not subject to the same 150-day approval deadline, making it difficult or impossible for the Applicant to feasibly begin mining or mine construction within the timeframe required by the Conditional Use Permit.

This criterion is met.

11. EXHIBITS:

A. Applicant's Written Extension Request

12. ADMINISTRATIVE DECISION:

IN REGARD TO PLANNING FILE: 2022-05-014

The Malheur County Planning Director hereby APPROVES the requested extension, which extends the validity of the Grassy Mountain CUP (County File No. 2018-10-012) to May 23, 2022.



Planning Director

05/19/2022

Date



NOTICE OF ADMINISTRATIVE DECISION

Planning Department File No. 2022-05-015

1. GENERAL INFORMATION:

- a. OWNER OF RECORD:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445
- b. APPLICANT:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445

- 2. PROPOSED ACTION:** One-year extension of the Grassy Mountain Sage Grouse Permit (County Order No. GO-05-19) pursuant to OAR 660-033-0140.
- 3. PROPERTY IDENTIFICATION:** Tax Lot 101, Assessor's Map No. 22S44E.
- 4. ZONING:** Exclusive Range Use (C-A2).
- 5. PARCEL SIZE:** 62 acres.
- 6. PARCEL USE:** The property is currently vacant. A number of testing wells are located on the parcel, as well as access roads constructed to access test drilling and well sites.

7. SUMMARY & BACKGROUND

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the "Grassy Mountain Mine" or the "Project") located on Tax Lot 101 of Assessor's Map No. 22S44E (the "Patent Parcel"). The first was a Conditional Use Permit (the "CUP") to allow the mining activity, pursuant to Malheur County Code ("MCC") 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat (the "SGP"), required by OAR 660-023-0115 (County Order No. GO-05-19). The Planning Commission approved the CUP on May 23, 2019. The County Court approved the SGP on July 3, 2019. The Planning Department then approved extensions of the CUP and SGP on June 25, 2021 pursuant to OAR 660-033-0140. The CUP was extended to May 23, 2022, and the SGP was extended to July 3, 2022.

8. PREVIOUS ACTIONS:

County File No. 2018-10-012

9. PROCEDURAL REQUIREMENTS

Pursuant to OAR 660-033-0140(3), “approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.” The Director finds that this Decision is not a land use decision as defined in ORS 197.015. Because this extension does not result in a “land use decision,” it is not subject to appeal to the Oregon Land Use Board of appeals and is therefore exempt from the notice and hearing requirements of ORS 197.763. There are no specific procedural requirements pertaining to this Decision; therefore, the Director has processed the Applicant’s request as an administrative decision. A concurrent extension request under applicable MCC provisions was also timely filed by the Applicant and will be subject to review and approval by the Planning Commission, as required.

10. APPLICABLE CRITERIA AND FINDINGS OF FACT:

The approval criteria for one-year extensions under OAR 660-033-0140 are listed below, followed by the Director’s Findings of Fact.

(2) A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

FINDING: The Applicant filed a written request for an extension of the SGP pursuant to OAR 660-033-0140 on May 16, 2022.

This criterion is met.

(b) The request is submitted to the county prior to the expiration of the approval period;

FINDING: The request was submitted prior to July 3, 2022.

This criterion is met.

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

FINDING: The Applicant provided the following statement:

“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (‘DOGAMI’) approves a chemical mining permit (the ‘Consolidated Permit’). Application for the Consolidated Permit required a land use approval and

associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as Exhibit 4. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent DOGAMI Technical Review Team meeting, held on February 2, 2021, which demonstrate the Applicant's diligence in obtaining the Consolidated Permit, are included as Exhibit 5. In addition, the Applicant requires a final approval from BLM, which has yet to be approved."

This criterion is met.

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

FINDING: The Director concurs with the Applicant's statement, above. Specifically, the Director finds that mining and mine facility construction cannot begin until the Applicant receives approval of its DOGAMI consolidated permit. The Director finds that the Applicant has diligently pursued DOGAMI approval. The Director also finds that the consolidated permit process involves substantially more delay than local land use permitting processes and is not subject to the same 150-day approval deadline, making it difficult or impossible for the Applicant to feasibly begin mining or mine construction within two years of approval of the SGP.

This criterion is met.

11. EXHIBITS:

A. Applicant's Written Extension Request

12. ADMINISTRATIVE DECISION:

IN REGARD TO PLANNING FILE: 2022-05-015

The Malheur County Planning Director hereby APPROVES the requested extension, which extends the validity of the Grassy Mountain SGP (County Order No. GO-05-19) to July 3, 2023.



Planning Director

05/19/2022

Date



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

NOTICE OF ADMINISTRATIVE DECISION

Planning Department File No. 2023-06-008

1. GENERAL INFORMATION:

- a. OWNER OF RECORD:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445
- b. APPLICANT:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445

- 2. PROPOSED ACTION:** One-year extension of the Grassy Mountain Conditional Use Permit 2018-10-012 pursuant to OAR 660-033-0140.
- 3. PROPERTY IDENTIFICATION:** Tax Lot 101, Assessor's Map No. 22S44E.
- 4. ZONING:** Exclusive Range Use (C-A2).
- 5. PARCEL SIZE:** 62 acres.
- 6. PARCEL USE:** The property is currently vacant. A number of testing wells are located on the parcel, as well as access roads constructed to access test drilling and well sites.

7. SUMMARY & BACKGROUND

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the "Grassy Mountain Mine" or the "Project") located on Tax Lot 101 of Assessor's Map No. 22S44E (the "Patent Parcel"). The first was a Conditional Use Permit (the "CUP") to allow the mining activity, pursuant to Malheur County Code ("MCC") 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat (the "SGP"), required by OAR 660-023-0115 (County Order No. GO-05-19). The Planning Commission approved the CUP on May 23, 2019. The County Court approved the SGP on July 3, 2019. The Planning Department then approved extensions of the CUP and SGP on June 25, 2021 and May 19, 2022 pursuant to OAR 660-033-0140. The CUP was extended to May 23, 2022, and the SGP was extended to July 3, 2022. The Applicant submitted timely requests for extension of both permits on May 22, 2023. Therefore, both permits remain valid.

8. PREVIOUS ACTIONS:

County File No. 2018-10-012
County Order No. GO-05-19
Planning Department File No. 2021-04-014
Planning Department File No. 2021-04-015
Planning Department File No. 2022-05-014
Planning Department File No. 2022-05-015

9. PROCEDURAL REQUIREMENTS

Pursuant to OAR 660-033-0140(3), “approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.” The Director finds that this Decision is not a land use decision as defined in ORS 197.015. Because this extension does not result in a “land use decision,” it is not subject to appeal to the Oregon Land Use Board of Appeals and is therefore exempt from the notice and hearing requirements of ORS 197.763. There are no specific procedural requirements pertaining to this Decision; therefore, the Director has processed the Applicant’s request as an administrative decision. A concurrent extension request under applicable MCC provisions was also timely filed by the Applicant and will be subject to review and approval by the Planning Commission, as required.

10. APPLICABLE CRITERIA AND FINDINGS OF FACT:

The approval criteria for one-year extensions under OAR 660-033-0140 are listed below, followed by the Director’s Findings of Fact.

(2) A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

FINDING: The Applicant filed a written request for an extension of the CUP pursuant to OAR 660-033-0140 on May 22, 2023.

This criterion is met.

(b) The request is submitted to the county prior to the expiration of the approval period;

FINDING: The request was submitted prior to May 23, 2023.

This criterion is met.

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

FINDING: The Applicant provided the following statement:

*“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (“DOGAMI”) approves a chemical mining permit (the “Consolidated Permit”). Application for the Consolidated Permit required a land use approval and associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as **Exhibit 5**. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent meeting held on March 15, 2023, regarding the status of the revised Consolidated Permit Application and next steps demonstrate the Applicant’s ongoing engagement with DOGAMI’s Technical Review Team in obtaining the Consolidated Permit, are included as **Exhibit 6**.”*

The above statement and the Application is incorporated into this finding. This criterion is met.

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

FINDING: The Director concurs with the Applicant’s statement, above. Specifically, the Director finds that mining and mine facility construction cannot begin until the Applicant receives approval of its DOGAMI consolidated permit. The Director finds that the Applicant has diligently pursued DOGAMI approval since the original application(s) were approved. The Director also finds that the consolidated permit process involves substantially more delay than local land use permitting processes and is not subject to the same 150-day approval deadline, making it difficult or impossible for the Applicant to feasibly begin mining or mine construction within the timeframe required by the Conditional Use Permit, or within the later extended periods.

This criterion is met.

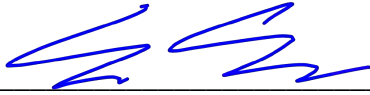
11. EXHIBITS:

A. Applicant’s Written Extension Request

12. ADMINISTRATIVE DECISION:

IN REGARD TO PLANNING FILE: 2023-06-008

The Malheur County Planning Director hereby APPROVES the requested extension, which extends the validity of the Grassy Mountain CUP (County File No. 2018-10-012) to May 23, 2024 for purposes of OAR 660-033-0140(3).



Planning Director

07/10/2023

Date



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

NOTICE OF ADMINISTRATIVE DECISION

Planning Department File No. 2023-06-009

1. GENERAL INFORMATION:

- a. OWNER OF RECORD:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445
- b. APPLICANT:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445

- 2. PROPOSED ACTION:** One-year extension of the Grassy Mountain Sage Grouse Permit (County Order No. GO-05-19) pursuant to OAR 660-033-0140.
- 3. PROPERTY IDENTIFICATION:** Tax Lot 101, Assessor's Map No. 22S44E.
- 4. ZONING:** Exclusive Range Use (C-A2).
- 5. PARCEL SIZE:** 62 acres.
- 6. PARCEL USE:** The property is currently vacant. A number of testing wells are located on the parcel, as well as access roads constructed to access test drilling and well sites.

7. SUMMARY & BACKGROUND

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the "Grassy Mountain Mine" or the "Project") located on Tax Lot 101 of Assessor's Map No. 22S44E (the "Patent Parcel"). The first was a Conditional Use Permit (the "CUP") to allow the mining activity, pursuant to Malheur County Code ("MCC") 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat (the "SGP"), required by OAR 660-023-0115 (County Order No. GO-05-19). The Planning Commission approved the CUP on May 23, 2019. The County Court approved the SGP on July 3, 2019. The County approved administrative extensions for the SGP and CUP on June 25, 2021 (Planning Department File No. 2021-04-015 and 2021-04-015) and May 19, 2022 (Planning Department File Planning Department File Nos. 2022-05-14 and 2022-05-15). Therefore, SGP remains valid under OAR 660-033-0140(4).

8. PREVIOUS ACTIONS:

County File No. 2018-10-012
County Order No. GO-05-19
Planning Department File No. 2021-04-014
Planning Department File No. 2021-04-015
Planning Department File No. 2022-05-014
Planning Department File No. 2022-05-015

9. PROCEDURAL REQUIREMENTS

Pursuant to OAR 660-033-0140(3), “approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.” The Director finds that this Decision is not a land use decision as defined in ORS 197.015. Because this extension does not result in a “land use decision,” it is not subject to appeal to the Oregon Land Use Board of Appeals and is therefore exempt from the notice and hearing requirements of ORS 197.763. There are no specific procedural requirements pertaining to this Decision; therefore, the Director has processed the Applicant’s request as an administrative decision. A concurrent extension request under applicable MCC provisions was also timely filed by the Applicant and will be subject to review and approval by the Planning Commission, as required.

10. APPLICABLE CRITERIA AND FINDINGS OF FACT:

The approval criteria for one-year extensions under OAR 660-033-0140 are listed below, followed by the Director’s Findings of Fact.

(2) A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

FINDING: The Applicant filed a written request for an extension of the SGP pursuant to OAR 660-033-0140 on May 22, 2023.

This criterion is met.

(b) The request is submitted to the county prior to the expiration of the approval period;

FINDING: The request was submitted prior to July 3, 2022.

This criterion is met.

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

FINDING: The Applicant provided the following statement:

*“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (“DOGAMI”) approves a chemical mining permit (the “Consolidated Permit”). Application for the Consolidated Permit required a land use approval and associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as **Exhibit 5**. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent meeting held on March 15, 2023, regarding the status of the revised Consolidated Permit Application and next steps demonstrate the Applicant’s ongoing engagement with DOGAMI’s Technical Review Team in obtaining the Consolidated Permit, are included as **Exhibit 6**.”*

The above statement and the Application is incorporated into this finding. This criterion is met.

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

FINDING: The Director concurs with the Applicant’s statement, above. Specifically, the Director finds that mining and mine facility construction cannot begin until the Applicant receives approval of its DOGAMI consolidated permit. The Director finds that the Applicant has diligently pursued DOGAMI approval. The Director also finds that the consolidated permit process involves substantially more delay than local land use permitting processes and is not subject to the same 150-day approval deadline, making it difficult or impossible for the Applicant to feasibly begin mining or mine construction within two years of approval of the SGP and the later extended periods.

This criterion is met.

11. EXHIBITS:

A. Applicant’s Written Extension Request

12. ADMINISTRATIVE DECISION:

IN REGARD TO PLANNING FILE: 2023-06-009

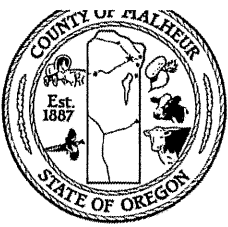
The Malheur County Planning Director hereby APPROVES the requested extension, which extends the validity of the Grassy Mountain SGP (County Order No. GO-05-19) to July 3, 2023 for purposes of OAR 660-033-0140(3).



Planning Director

07/10/2023

Date



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

NOTICE OF ADMINISTRATIVE DECISION

Planning Department File No. 2024-05-012

1. GENERAL INFORMATION:

- a. OWNER OF RECORD:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445
- b. APPLICANT:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445

2. PROPOSED ACTION: One-year extension of the Grassy Mountain Conditional Use Permit 2018-10-012 pursuant to OAR 660-033-0140.

3. PROPERTY IDENTIFICATION: Tax Lot 101, Assessor's Map No. 22S44E.

4. ZONING: Exclusive Range Use (C-A2).

5. PARCEL SIZE: 62 acres.

6. PARCEL USE: The property is currently vacant. A number of testing wells are located on the parcel, as well as access roads constructed to access test drilling and well sites.

7. SUMMARY & BACKGROUND

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the "Grassy Mountain Mine" or the "Project") located on Tax Lot 101 of Assessor's Map No. 22S44E (the "Patent Parcel"). The first was a Conditional Use Permit (the "CUP") to allow the mining activity, pursuant to Malheur County Code ("MCC") 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat (the "SGP"), required by OAR 660-023-0115 (County Order No. GO-05-19). The Planning Commission approved the CUP on May 23, 2019. The County Court approved the SGP on July 3, 2019. The Planning Department then approved extensions of the CUP and SGP on June 25, 2021, May 19, 2022, and May 22, 2023 pursuant to OAR 660-033-0140. The CUP was extended to May 23, 2023, and the SGP was extended to July 3, 2023. The Applicant submitted timely requests for extension of both permits on May 22, 2024. Therefore, both permits remain valid.

8. PREVIOUS ACTIONS:

County File No. 2018-10-012

County Order No. GO-05-19

Planning Department File No. 2021-04-014

Planning Department File No. 2021-04-015

Planning Department File No. 2022-05-014

Planning Department File No. 2022-05-015

Planning Department File No. 2023-06-007

Planning Department File No. 2023-06-008

9. PROCEDURAL REQUIREMENTS

Pursuant to OAR 660-033-0140(3), “approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.” The Director finds that this Decision is not a land use decision as defined in ORS 197.015. Because this extension does not result in a “land use decision,” it is not subject to appeal to the Oregon Land Use Board of Appeals and is therefore exempt from the notice and hearing requirements of ORS 197.763. There are no specific procedural requirements pertaining to this Decision; therefore, the Director has processed the Applicant’s request as an administrative decision. A concurrent extension request under applicable MCC provisions was also timely filed by the Applicant and will be subject to review and approval by the Planning Commission, as required.

10. APPLICABLE CRITERIA AND FINDINGS OF FACT:

The approval criteria for one-year extensions under OAR 660-033-0140 are listed below, followed by the Director’s Findings of Fact.

(2) A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

FINDING: The Applicant filed a written request for an extension of the CUP pursuant to OAR 660-033-0140 on May 22, 2024.

This criterion is met.

(b) The request is submitted to the county prior to the expiration of the approval period;

FINDING: The request was submitted prior to May 23, 2024.

This criterion is met.

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

FINDING: The Applicant provided the following statement:

*“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (“DOGAMI”) approves a chemical mining permit (the “Consolidated Permit”). Application for the Consolidated Permit required a land use approval and associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as **Exhibit 5**. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent meeting held on March 15, 2023, regarding the status of the revised Consolidated Permit Application and next steps demonstrate the Applicant’s ongoing engagement with DOGAMI’s Technical Review Team in obtaining the Consolidated Permit, are included as **Exhibit 6**.”*

The above statement and the Application is incorporated into this finding. This criterion is met.

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

FINDING: The Director concurs with the Applicant’s statement, above. Specifically, the Director finds that mining and mine facility construction cannot begin until the Applicant receives approval of its DOGAMI consolidated permit. The Director finds that the Applicant has diligently pursued DOGAMI approval since the original application(s) were approved. The Director also finds that the consolidated permit process involves substantially more delay than local land use permitting processes and is not subject to the same 150-day approval deadline, making it difficult or impossible for the Applicant to feasibly begin mining or mine construction within the timeframe required by the Conditional Use Permit, or within the later extended periods.

This criterion is met.

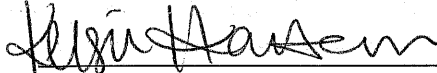
11. EXHIBITS:

A. Applicant’s Written Extension Request

12. ADMINISTRATIVE DECISION:

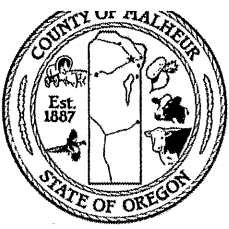
IN REGARD TO PLANNING FILE: 2023-06-008

The Malheur County Planning Director hereby APPROVES the requested extension, which extends the validity of the Grassy Mountain CUP (County File No. 2018-10-012) to May 23, 2025 for purposes of OAR 660-033-0140(3).



Planning Manager

05/29/2024
Date



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

NOTICE OF ADMINISTRATIVE DECISION

Planning Department File No. 2024-05-014

1. GENERAL INFORMATION:

- a. OWNER OF RECORD:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445
- b. APPLICANT:** **Calico Resources USA Corp**
665 Anderson St.
Winnemucca, NV 89445

- 2. PROPOSED ACTION:** One-year extension of the Grassy Mountain Sage Grouse Permit (County Order No. GO-05-19) pursuant to OAR 660-033-0140.
- 3. PROPERTY IDENTIFICATION:** Tax Lot 101, Assessor's Map No. 22S44E.
- 4. ZONING:** Exclusive Range Use (C-A2).
- 5. PARCEL SIZE:** 62 acres.
- 6. PARCEL USE:** The property is currently vacant. A number of testing wells are located on the parcel, as well as access roads constructed to access test drilling and well sites.

7. SUMMARY & BACKGROUND

In 2018, Calico Resources applied for two related land use permits for a gold and silver mine (the "Grassy Mountain Mine" or the "Project") located on Tax Lot 101 of Assessor's Map No. 22S44E (the "Patent Parcel"). The first was a Conditional Use Permit (the "CUP") to allow the mining activity, pursuant to Malheur County Code ("MCC") 6-6-7 (County File No. 2018-10-012). The second was a permit for development within identified sage grouse habitat (the "SGP"), required by OAR 660-023-0115 (County Order No. GO-05-19). The Planning Commission approved the CUP on May 23, 2019. The County Court approved the SGP on July 3, 2019. The County approved administrative extensions for the SGP and CUP on June 25, 2021 (Planning Department File No. 2021-04-015 and 2021-04-015), May 19, 2022 (Planning Department File Nos. 2022-05-14 and 2022-05-15), and May 20, 2023 (Planning Department File No 2023-06-008 and 2023-06-009). Therefore, SGP remains valid under OAR 660-033-0140(4).

8. PREVIOUS ACTIONS:

County File No. 2018-10-012
County Order No. GO-05-19
Planning Department File No. 2021-04-014
Planning Department File No. 2021-04-015
Planning Department File No. 2022-05-014
Planning Department File No. 2022-05-015
Planning Department File No. 2023-06-008
Planning Department File No. 2023-06-009

9. PROCEDURAL REQUIREMENTS

Pursuant to OAR 660-033-0140(3), “approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.” The Director finds that this Decision is not a land use decision as defined in ORS 197.015. Because this extension does not result in a “land use decision,” it is not subject to appeal to the Oregon Land Use Board of Appeals and is therefore exempt from the notice and hearing requirements of ORS 197.763. There are no specific procedural requirements pertaining to this Decision; therefore, the Director has processed the Applicant’s request as an administrative decision. A concurrent extension request under applicable MCC provisions was also timely filed by the Applicant and will be subject to review and approval by the Planning Commission, as required.

10. APPLICABLE CRITERIA AND FINDINGS OF FACT:

The approval criteria for one-year extensions under OAR 660-033-0140 are listed below, followed by the Director’s Findings of Fact.

(2) A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

FINDING: The Applicant filed a written request for an extension of the SGP pursuant to OAR 660-033-0140 on May 22, 2024.

This criterion is met.

(b) The request is submitted to the county prior to the expiration of the approval period;

FINDING: The request was submitted prior to July 3, 2024.

This criterion is met.

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

FINDING: The Applicant provided the following statement:

*“Construction of the Project may not begin until the Oregon Department of Geology and Mineral Industries (“DOGAMI”) approves a chemical mining permit (the “Consolidated Permit”). Application for the Consolidated Permit required a land use approval and associated land use compatibility statement from Malheur County, requiring the Applicant to obtain the CUP and SGP prior to applying for its Consolidated Permit. The Director can find that the enormously complex review process entailed in the Consolidated Permit prevented the Applicant from beginning construction within the initial two-year approval period. A flow-chart describing this process is enclosed as **Exhibit 5**. The Applicant submitted its Consolidated Permit application on November 15, 2019, and DOGAMI and its state agency partners issued its 114-page completeness determination on February 19, 2020. The Applicant has been in the process of study, engineering, and interpretation of comments, and back and forth iteration with DOGAMI to respond to the completeness determination. The notes of the most recent meeting held on March 15, 2023, regarding the status of the revised Consolidated Permit Application and next steps demonstrate the Applicant’s ongoing engagement with DOGAMI’s Technical Review Team in obtaining the Consolidated Permit, are included as **Exhibit 6**.”*

The above statement and the Application is incorporated into this finding. This criterion is met.

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

FINDING: The Director concurs with the Applicant’s statement, above. Specifically, the Director finds that mining and mine facility construction cannot begin until the Applicant receives approval of its DOGAMI consolidated permit. The Director finds that the Applicant has diligently pursued DOGAMI approval. The Director also finds that the consolidated permit process involves substantially more delay than local land use permitting processes and is not subject to the same 150-day approval deadline, making it difficult or impossible for the Applicant to feasibly begin mining or mine construction within two years of approval of the SGP and the later extended periods.

This criterion is met.

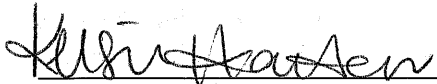
11. EXHIBITS:

A. Applicant’s Written Extension Request

12. ADMINISTRATIVE DECISION:

IN REGARD TO PLANNING FILE: 2024-05-012

The Malheur County Planning Director hereby APPROVES the requested extension, which extends the validity of the Grassy Mountain SGP (County Order No. GO-05-19) to July 3, 2025 for purposes of OAR 660-033-0140(3).



Planning Manager

05/29/2024
Date



Oregon Secretary of State
Tobias Read

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Land Conservation and Development Department

Chapter 660

Division 33

AGRICULTURAL LAND

660-033-0140

Permit Expiration Dates

(1) Except as provided for in section (5) of this rule, a discretionary decision, except for a land division, made after the effective date of this division approving a proposed development on agricultural or forest land outside an urban growth boundary under ORS 215.010 to 215.293 and 215.317 to 215.438 or under county legislation or regulation adopted pursuant thereto is void two years from the date of the final decision if the development action is not initiated in that period.

(2) A county may grant one extension period of up to 12 months if:

(a) An applicant makes a written request for an extension of the development approval period;

(b) The request is submitted to the county prior to the expiration of the approval period;

(c) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and

(d) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

(3) Approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.

(4) Except for "residential development" as defined in section (6), additional one-year extensions may be authorized where applicable criteria for the decision have not changed.

(5)(a) If a permit is approved for a proposed residential development on agricultural or forest land outside of an urban growth boundary, the permit shall be valid for four years.

(b) An extension of a permit described in subsection (5)(a) of this rule is valid for two years. A county may approve no more than five additional one-year extensions of a permit if:

(A) The applicant makes a written request for the additional extension prior to the expiration of the extension;

(B) The applicable residential development statute has not been amended following the approval of the permit, except the amendments to ORS 215.750 by Oregon Laws 2019, chapter 433, section 1; and

(C) An applicable rule or land use regulation has not been amended following the issuance of the permit, unless allowed by the county, which may require that the applicant comply with the amended rule or land use regulation.

(6) As used in section (5) of this rule, "residential development" only includes the dwellings provided for under ORS 215.213(3) and (4), 215.284, 215.317, 215.705(1) to (3), 215.720, 215.740, 215.750 and 215.755 (1) and (3).

Statutory/Other Authority: ORS 197.040

Statutes/Other Implemented: ORS 197.015, ORS 197.040, ORS 197.230 & ORS 197.245

History:

[LCDD 8-2020, amend filed 06/22/2020, effective 07/03/2020](#)

LCDD 6-2013, f. 12-20-13, cert. ef. 1-1-14

LCDD 4-2011, f. & cert. ef. 3-16-11

LCDD 1-2002, f. & cert. ef. 5-22-02

LCDC 6-1992, f. 12-10-92, cert. ef. 8-7-93

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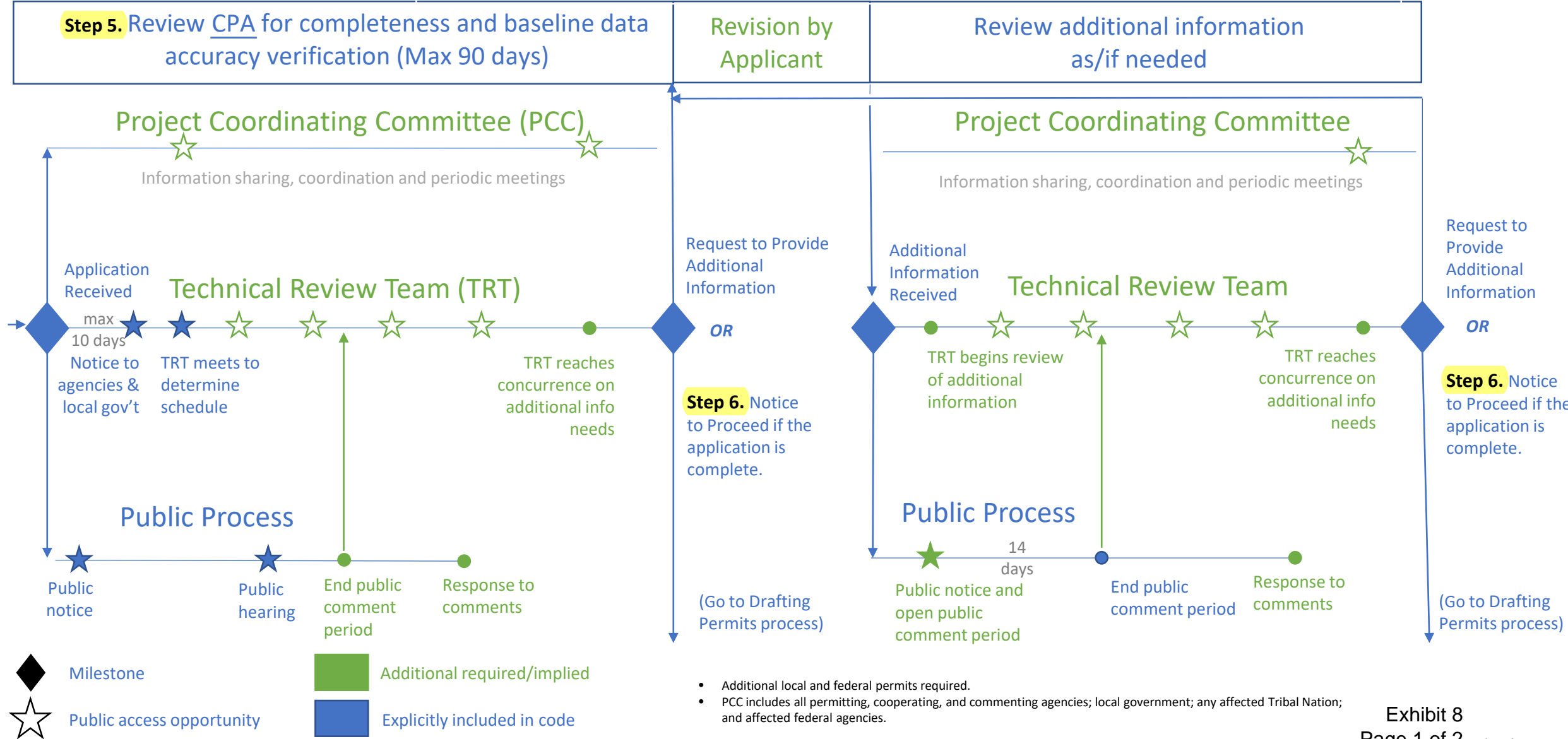
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Phase 1: State Consolidated Permit Application (CPA)
Process: *Application Review*

There are 10 key steps to the permitting process. To submit a CPA, the first 4 steps must be completed:

Step 1. Notice of Intent to submit a Consolidated Permit Application.
Step 2. Notice of Applicant’s Readiness to Collect Baseline Data.
Step 3. Collection of baseline data.
Step 4. Filing of a CPA including: operating plan, baseline data, reclamation & closure plan, alternatives analysis

The review and permitting process for the CPA includes steps 5-10 as shown in the following flow diagrams.



Phase 2: State Consolidated Permit Application (CPA)
Process: *Drafting Permits*

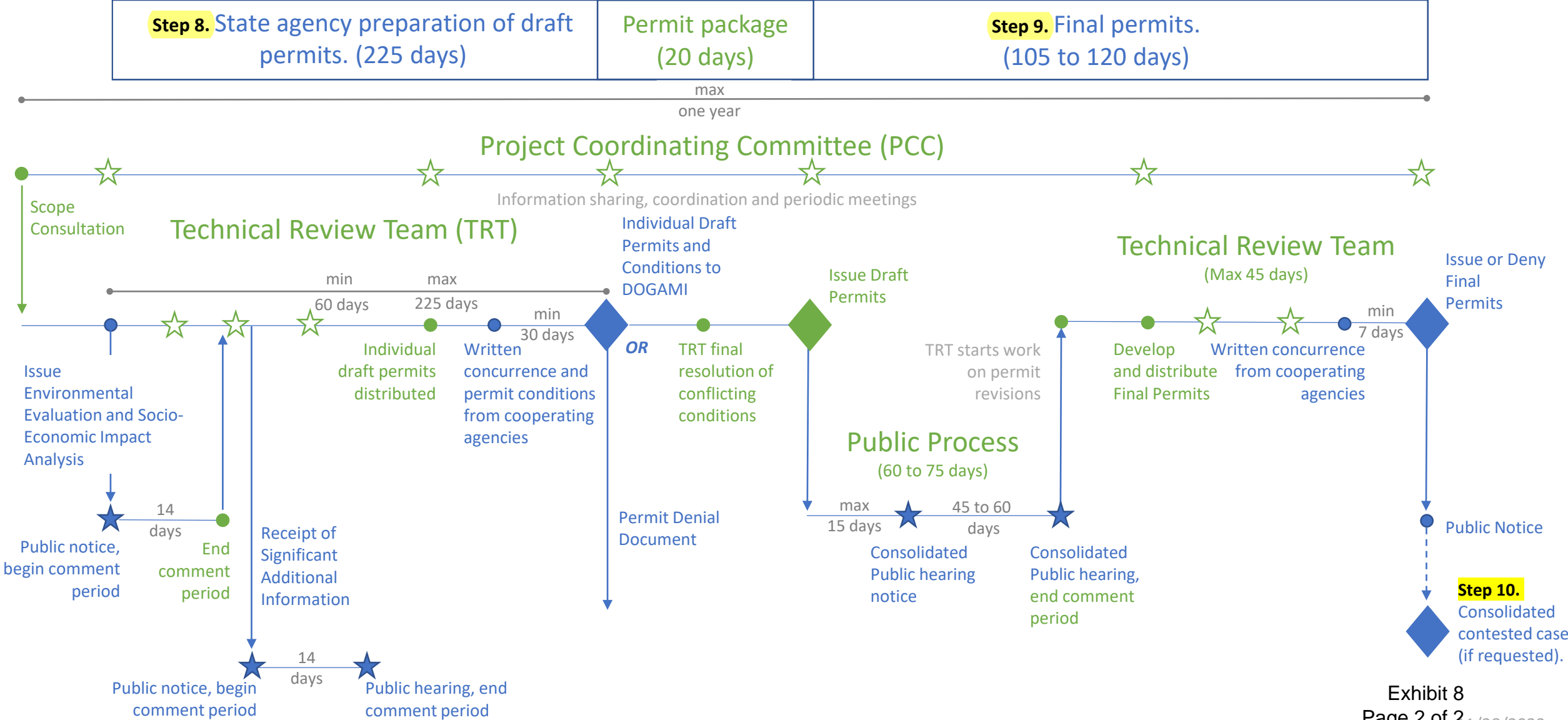
Step 7. Preparation of an Environmental Evaluation and Socio-Economic Impact Analysis.

◆ Milestone

☆ Public access opportunity

■ Additional required/implied

■ Explicitly included in code



**Oregon Consolidated Permit Application (CPA) Process – Chemical Process Mine
Calico Resources USA**

Technical Review Team (TRT) Meeting

Date: March 6, 2025; 3:00pm

Location: Zoom teleconference, with public access by phone or online.

Purpose: to discuss Best Available Practicable and Necessary Technology (BAPNT).

<i>Attendees</i>	<i>Agency or Affiliation</i>
Sarah Lewis	Oregon Department of Geology and Mineral Industries (DOGAMI)
Adam Bonin	DOGAMI
Becky Johnson	DOGAMI
Alex Lopez	DOGAMI
Bob Brinkmann	DOGAMI
Joe Kemper	Oregon Water Resources Department (WRD)
Ryan Lewis	Oregon Department of Environmental Quality (DEQ)
Ron Doughten	DEQ
Jennifer Peterson	DEQ
David Cole	DEQ
Jesse Ratcliffe	Oregon Department of Justice (DOJ)
Isaak Stapleton	Oregon Department of Agriculture (ODA)
Tom Segal	Oregon Department of Fish & Wildlife (ODFW)
Nikki Haskett	US Bureau of Land Management (BLM)
Jeremy Sugden	BLM
Jackie Cupples	US Fish & Wildlife Service (USFWS)
Lea Tai	USFWS
Julie Vold	USFWS
Sen. Lynn Findley	Oregon State Senator (retired)
Alison Uno	Stantec
George Fennemore	Stantec
Casey Haagenston	Stantec
Audrey Figgins	Stantec
Glen van Treek	Paramount Gold
Cristos Theodossious	Paramount Gold
Tom Patterson	SLR Consulting
Wendy Wente	Mason, Bruce & Girard, Inc.
S. Ghosal	Public/investor in Paramount Gold
William Burstow	Public
Joan Fryxell	Public

Agenda:

Time	Agenda Topic
3:00pm	Welcome and Introductions
	Revisions to the Agenda
	BAPNT Discussion (TRT / Calico)
	Vote to Approve BAPNT Components
	Meeting Conclusion and Final Remarks
4:13pm	A D J O U R N

Notes:

Introduction

- Meeting introduction by Alex Lopez (DOGAMI).
- Call-in details were provided in the comments section and notice was given that the meeting was being recorded.
- Public comments will not be accepted during this meeting.
- Adam Bonin (DOGAMI) coordinated introductions of TRT members.
- No public comments were received prior to the meeting.

Agenda

- Reviewed by committee members; no changes or additions requested.

Project Check-In/Goals of Meeting

- Environmental Evaluation (EE) approved 10/3/2024 at the TRT meeting.
- EE approval started the 225-day clock.
- National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) process update was shared.
- Goals for this meeting: Review Best Available Practicable and Necessary Technologies tables, discuss remaining options, and hold vote on BAPNT.

Best Available Practicable and Necessary Technology (BAPNT)

- Defined in *OAR (Oregon Administrative Rule) 630-037-0010– Best Available Practicable and Necessary Technology*.
- Provided further details regarding BAPNT ("best tech") requirements in *OAR 630-037-0118*.
- Best tech from EE, along with alternatives and remaining issues are compiled in tables for ease of review during the meeting.

BAPNT Comment Review (Tables)

- *Tables 1-8 present applicant-proposed measures that were identified in the CPA. Additional measures identified in the EE for further environmental protection appear in blue font below the tables.*
 1. **Mine Construction Methods** – No further questions from TRT members.
 2. **Mill Operations** – DOGAMI suggests adopting/accepting proposed measures.
 - Ryan Lewis (DEQ): Raised a question regarding the thiosulfate issue. DEQ is wondering if there is enough information available to determine that the technology is not feasible at this specific location.
 - Bob Brinkmann (DOGAMI): Calico did provide a letter as to why thiosulfate wouldn't be feasible (environmentally and economically).
 - Jackie Cupples (USFWS): Was that letter shared?
 - Sarah Lewis (DOGAMI): I believe that Ryan is requesting a fact sheet that provides a thorough answer as to why thiosulfate is not feasible for Grassy Mountain. That public communication can be prepared in the future.
 3. **Tailings Management**
 - Project components include tailing storage facility (TSF) Wildlife Exclusion; Table 11 will present a list of exclusions or measures that are specific to wildlife.
 - Isaak Stapleton (ODA): Does this include "A", "B", & "T" list noxious weeds?
 - Tom Segal (ODFW): This is all listed in the plan that was submitted. Believe it covers "A", "B", & "T" species, but is not certain.
 - Ryan Lewis (DEQ): These are some of the things that DEQ will be covering with permit conditions (so those conditions can be more specific).
 4. **Air Quality Control Measures** – DOGAMI suggests adopting/accepting proposed measures.
 5. **Operations Monitoring**
 - There will be a TRT meeting in the future that will likely feature monitoring plans.
 6. **Acid Rock Drainage Management** – DOGAMI suggests adopting/accepting proposed measures.
 7. **Hazardous Materials Handling** – Presented in detail in the CPA.
 8. **Spill Management/Control** – Additional measures are suggested as presented below the table.
- *Tables 9-13 provide comparison of alternative technologies to applicant-proposed technologies.*
 9. **Transporting Mined Materials**
 - Diesel (applicant suggested) vs. biodiesel (alternative).
 - Ron Doughten (DEQ): Do we need to decide on the BAPNT right now? Or are some of these available to us in the future?
 - Sarah Lewis (DOGAMI): If we chose diesel as best tech, it wouldn't disallow the permitting agencies from putting biodiesel in their permits as a better environmental option.
 10. **Closure of the Mill**
 - Breaking, burying, and recontouring foundations vs. removing foundation materials.

- Bob Brinkmann (DOGAMI): With the material being exposed to chemicals during processing, would it require special treatment to be used as fill?
 - Ryan Lewis (DEQ): If the material is not painted or chemically dipped, then it is considered clean fill. If it is tainted, it would need to be treated differently.
 - Bob Brinkmann (DOGAMI): Would you add that as a permit condition to deal with as a potential future situation?
 - Ryan Lewis (DEQ): Yes, otherwise this is treated as clean fill and is acceptable for use as backfill.
- 11. TSF Wildlife Exclusion**
- Tom Segal (ODFW): All alternative tech is reasonable with the exception of laser bird deterrents. That is considered new technology, and we don't know the efficacy of its use.
 - Ron Doughten (DEQ): Requests that all alternative technology is maintained and approved so that they remain options in the future.
 - Tom Segal (ODFW): Agreed with this suggestion.
- 12. Water Management**
- Discussed merits of the proposed site groundwater production wells vs. using groundwater produced by sumps during dewatering. Production wells would meet the water needs of the project from the available information. An additional measure was also identified for water management as presented below the table.
- 13. Equipment Management**
- Preventative maintenance is a more conservative approach compared to reactive maintenance as supported in the EE, as well as discussions with the agencies and the Applicant, and remains the recommended technology.

BREAK at 3:55pm

Voting-

- Motion to accept Items 1-8, including applicant-proposed technologies without feasible alternatives and additional measures:
 - Bob Brinkmann (DOGAMI): Motions to accept the applicant-proposed measures as best tech.
 - Ryan Lewis (DEQ): Seconds the motion.
 - Unanimous acceptance by TRT members present.
- Voting agencies:
 - DOGAMI (yes)
 - WRD (yes)
 - ODA (yes)
 - DEQ (yes)
 - ODFW (yes)
 - DSL (not in attendance)
- Motion to accept Items 9, 10, 12, and 13, including applicant-proposed technologies compared to alternatives and additional measures:
 - Bob Brinkmann (DOGAMI): Motions to accept the applicant-proposed measures as best tech.
 - Isaak Stapleton (ODA): Seconds the motion.
 - Unanimous acceptance by TRT members present.
- Voting agencies and votes (all in favor): Same as above for items 1-8.

- Motion to accept TSF Wildlife Exclusion technologies - Item 11
 - Tom Segal (ODFW): Motions to accept all exclusion technologies listed.
 - Ryan Lewis (DEQ): Seconds the motion.
 - Unanimous acceptance by TRT members present.
- Voting agencies and votes (all in favor): same as above for Items 1-8 and 9,10, 12, and 13.

Final Remarks

- Adam thanked the participants for attending the meeting and for the TRT's time and discussion.
- Draft permits are due to DOGAMI in May.
- Reclamation securities, bonding, coordinated monitoring plans could be topics of forthcoming TRT meetings.
- Meeting notes will be available on DOGAMI's website.
- The meeting adjourned at 4:13 pm.