

Spring Creek Coalition Board Meeting April 08, 2021 Minutes

The meeting of the Spring Creek Coalition Board was called to order on April 08, 2021 at 6:01 pm. by President Beth Rooney

Present were George Kamp, Beth Rooney, Travis Fite, Jessica Spencer, Karen Harris, Bill Chambers, David Martinez, Bill Chambers and Jennifer Owen. Guests present were Matt Alison of IEA Law Group and Krystina Phillips, Chair of the Conservation Coalition of Oklahoma.

Matt gave an update of our lawsuit.

- Lawsuit filed March 3rd in Delaware and Cherokee Counties.
- ODAFF responded
- Some of ODAFF's responses were contradictory, both agreeing with and disputing the same points. They will file an amended response.
- They mostly said that they comply with the Poultry Feeding Act.
- The poultry growers hired the same lawyer that they had in the Lou Cochran case. He keeps in contact with Simmons. We are not suing the poultry growers.
- The Lawsuit is now open for Discovery and Matt and Jason are working on this.
- Discovery is a pre-trial procedure in which each party can obtain evidence from the other parties by interrogatories, requests for documents, depositions and other devices.
- A court date is probably 4-6 months out.

Jennifer Donnelly asked if the legislature could try to change the rules before we have a hearing.

Matt replied that they are probably doing that now but that we have a 'backstop' on due process which is the constitution. That is to say that they cannot legislate away an interested party's right to due process.

David Martinez pointed out that for pollution issues, our backstop is the Clean Water Act.

Krystina Phillips, Chair, gave an overview of the Conservation Coalition of Oklahoma (CCO).

CCO is a 501(C)4 which means they are allowed to lobby. Their primary focus is to promote common-sense, bipartisan bills that promote environmental protections.

CCO funds a good lobbyist at the capital. They currently have 6-7 members who pay \$500 a year. Members include Trout Unlimited, All Souls Unitarian Green Team, the Nature Conservancy, STIR, Land Legacy, Audubon, and Tulsa Bird Dog Society.

They review relevant bills at the beginning of the OK legislative session and support those of most interest to their members. They also work to kill bills that appear harmful to member

interests. If a member group supports a bill, they can have their logo attached to CCO correspondence regarding said bill.

CCO represents thousands of constituents which gives them impact at the Capital.

Krystina said that because SCC has a tight budget this year, CCO has an agenda item for their next board meeting to waive our first year membership fee should we wish to join.

The board had time to ask questions and discuss pros and cons of us becoming a member.

Motion: A motion was made by Bill Chambers, seconded by Travis Fite, to **join CCO for at least this first year provided they waive our membership fee.**

Passed

Motion: A motion was made by David Martinez, seconded by Travis Fite, to **approve last month's minutes.**

Passed

The **treasury report** (Arvest statement) was reviewed and accepted for filing. We ended the month of March with a balance of \$14,634. \$12,097 was paid to our Legal Counsel, IEA Law Group, for January and February work.

Bill Chambers reported that **Water Monitoring** continues to go well and is funded through June, end of our baseline year. Bacteria levels were extremely high in March after a 2" rain the night before. We are waiting until late spring/summer to look into the source of high bacteria.

Our next monitoring date is, appropriately, Earth Day, Thursday, April 22. Kelly Bostian will be there; he will probably give us publicity on his blog. Anyone interested is welcome to join us, 9AM at the Country Store; Hwy 82 and Ear Bob Road.

Fundraising report;

1. **March "Fund the Lawsuit" Matching Campaign** reached \$3,050, short of our \$5,000 goal. Beth and Bill are contacting people who don't usually respond to our newsletter and Facebook campaigns. They will continue to try to add more to the total which will be matched by both Beth and Williams Cos. from which Beth is a retiree.
2. **Goal Poster by Maddie Spencer.** Maddie added many of the board's ideas (river otter, turtle, damselflies). We have raised \$18,000 of our \$50,000 goal (36%). Beth will send a photo of the poster.
3. **Fly Fishing Fundraiser.** Jennifer Donnelly and Bill Chambers have set a date of May 8th. This event will be limited to 20 women at \$200 each. Jennifer will send us the preliminary itinerary. All are welcome to come help. If it goes well, another clinic may be added for men.
4. **Status of David Page bills.** These bills are still unresolved but Jason Aamodt has said he will take more aggressive action soon to see if we can get some of the bill dismissed and work products, including the GIS system,

transferred to us.

New Business:

Stream Gauge at Hwy 82 discontinued: The USGS gauge that has measured Spring Creek stream flow at Hwy 82 for years has been discontinued. It costs about \$11,000 per year. OWRB was funding the gauge for the USGS 5-year aquifer study. All data needed for that study is now in, so the gauge was dropped. Prior to that the Corps of Engineers was providing the funds.

Shanon Phillips, Water Quality Director, Oklahoma Conservation Commission, has contacted GRDA who have agreed to pick up the costs at USGS' fiscal year starting in October.

Designating Spring Creek a Scenic River. We had preliminary discussions on this topic. We decided to have a special board meeting where we can get both sides together, those for and those against this idea, to get a more productive discussion.

Key ideas presented at the board meeting were:

- Potential For: Several people have intimated that Spring Creek would have added protections if it were a Scenic River. What would those protections be?
- Potential Against: being a Scenic River has not helped the Illinois River at all
- Potential Against: If Spring Creek becomes a Scenic River, we are turning over management of the creek to the GRDA Scenic River Division; they will buy land along the creek and make it a public access stream.

An SCC member has **applied to ODEQ to apply rip rap along their property to prevent bank erosion.** We commend this landowner on doing the right thing (the application). Shanon Phillips hopes to get stream erosion expert Russ Dutnell to talk to these landowners about other possible solutions. Jessica's property adjoins theirs; she gave the board an overview of the erosion problems.

Signs of filamentous algae reported at creek property belonging to Donnelly, Spencer, and Rooney. Beth will send photos. **Proliferation of Marijuana farms in NE Oklahoma.** Bill Chambers advocated looking into this now and stopping the harm up front. Is there harm from run-off from these farms?

Moving gravel to create a swimming hole near Teresita, Double Spring Creek. Shanon Phillips follows Facebook posts and is aware of this. She **urged us all to report any illegal actions we see on the creek to ODEQ and the US Corps of Engineers.** Although we may not be able to change things immediately, it is important to "continue to poke the bear." Beth will send links of where to report.

Motion: A motion was made by Karen Harris, seconded by Bill Chambers, **to adjourn the meeting** at 7:59pm.

Passed

Minutes submitted by Beth Rooney