

Spring Creek Coalition Board Meeting August 11, 2022, Minutes

The meeting was held virtually by Zoom as announced ahead-of-time by President Beth Rooney. The meeting was **called to order** by Beth at 6:03 pm on Thursday, August 11, 2022. Present were Board Members Mike Appel, Chris Beckwith, Bill Chambers, Karen Harris, David Martinez, and Beth Rooney. Travis Fite joined after the meeting started. Angela Brazeal, Jennifer Donnelly, and Sandy Whitekiller were absent.

1. Approval of July Board Meeting Minutes: This item was held over to the September meeting due to the July minutes being currently unavailable.

2. Treasurer's Report: Beth reviewed the report as distributed and summarized in the agenda. The Board accepted the Treasurer's Report for filing, showing a balance of \$52,035.02 as of 7-31-2022.

3. Publicizing our Motion for Summary Judgment: Beth Rooney asked the Board members to share their thoughts about the completed motion filed August 8, 2022, in Delaware County District Court. Bill said he was glad that our long goal of taking legal action against ODAFF was finally happening and he hoped it would save Spring Creek. Karen liked seeing the motion's focus on getting ODAFF to do its job, i.e., getting ODAFF to accept its jurisdiction under the Clean Water Act and Clean Air Act and honoring landowners' rights to due process. Chris especially saw value in showing ODAFF's responsibilities to extend far beyond collecting registration fees; that the agency has an obligation to consider public input and to protect the health and welfare of residents from effects that are caused ultimately by an out-of-state corporation. David anticipated the action would win some clear protection for Spring Creek and also would have ramifications that would apply to other watersheds. He also thought the point that ODAFF is obligated to communicate with other agencies is important and should be heeded by Oklahoma's other water agencies. Karen asserted (later) that the case includes an environmental justice issue, in that some watersheds have received more protection than others because of the affluence of the landowners.

David drew attention to a set of talking points drafted by Matthew Alison and suggested we seek some clarification of whether, as the case progresses, either our legal counsel or SCC Board members or both would be expected to handle media inquiries, any one of those scenarios being possible. He also thought most inquiries could be handled by a limited set of talking points but there could be occasional inquiries into fine details of regulating commercial poultry operations, where the talking points might not be sufficient. A consensus emerged that we (the Board and Matt) should develop a position statement on the various issues and clarify who would handle media inquiries. In examining the talking points briefly, some Board members noted unclear text (e.g., "the record in the litigation speaks to ODAFF's position"). Beth asked that Board members read the talking points after the meeting and submit to her recommendations for how they could be improved.

Matt expressed hopes in his e-mail for having a hearing on the motion in the next two months. It was mentioned that ODAFF has an opportunity to file a counterclaim within 30 days. Still, given the filing of exhibits and the motion for summary judgment, it is believed our in-court time will be limited and resolution of the case may occur relatively quickly.

3.5. Spring Creek Area Experiencing Very Bad Odors: Mike noted that odors in the creek vicinity were very bad today and asked if others knew the cause, such as a possible renewed spreading of manure. Travis and Karen both expressed that this was the likely cause; that hay farmers often spread manure after harvesting and might be trying to get another crop in before end of the growing season.

4. Community Meeting on Problems at King's Curve: Beth and Sandy attended the community meeting on July 29 and reported it was attended by about 35 people. The attendants reported terrible conditions at the site, including shootings, people living on the Corps property, vehicles everywhere

including in the creek, alcohol and drugs, et cetera. Congressman Markwayne Mullin had a representative present. The Corps of Engineers (who owns the property) said they were not going to do anything to address the problems. The Mayes County Sheriff's Office said they would help enforce any area rules posted by the Corps. As a related issue, Mayes County Commissioner Ryan Ball reported plans to extend the guardrails at Cooper's Bridge. Another favorable aspect was Beth's impression that the various agencies have been handling the problem separately in the past but going forward will be working together.

5. Board Appreciation Meeting in the Watershed: Bill reported that this would occur Sunday, August 14, 10 am to 6 pm. Jim Burroughs of the Oklahoma Department of Wildlife Conservation will be at the site preparing for a filming to take place in October. Plans are to grill hot dogs and have other picnic foods. Bill reported the creek had been scoured by high flows recently, which created good conditions for snorkeling. He has snorkeling equipment available for all who attend.

6. Goal #7 – Water Quality: The next quarterly testing date for the baseline water quality monitoring is Thursday, September 22. Regulars and newcomers are always welcome. For more information, contact Bill or Sandy.

7. Goal #9 – Strengthen Our Relationship with Like-Minded Groups: Beth had previously distributed information on the STIR Annual Members Meeting scheduled for Saturday, September 17. SCC Board members were encouraged to attend.

8. Goal #1 – SCC Newsletter: Karen had sent Beth an article on the Blue Thumb fish sampling on Spring Creek. Other planned articles included the Legal motion for summary judgment and the meeting on problems at King's Curve.

9. Other:

a. Wooden sign on Highway 82: Beth reported that the wooden Spring Creek sign on State Highway 82 was in a deteriorated state. She recommended that it either be refurbished or taken down. Some specific treatments needed were to clear out trees that had grown up around the sign and repaint it. Karen, Travis, and Bill agreed to help with refurbishing and would schedule dates for this.

b. SCC Goals: Beth led a review of SCC 2022 Goals to show our progress to date. Several have been completed, others are in progress or have not started. These Goals are available on our Google Docs.

The meeting adjourned at 7:13 pm. The next meeting will be virtual by Zoom on September 8 at 6pm.

Minutes prepared by SCC Vice-Secretary David Martinez