

**CHEROKEE NATION ENVIRONMENTAL
PROTECTION COMMISSION
MEETING
Cherokee Nation Environmental Programs Office
208 E. Allen Road, Tahlequah, Oklahoma
May 5, 2015 – 9:00 AM**

PRESENT:

Commissioner: Dr. Marty Matlock, Chairman
Commissioner: Ed Fite
Commissioner: J. Blake Fletcher
Commissioner: Jack Spears
Commissioner: Dr. Lynna Carson

APPROVED

JUN 09 2015

Cherokee Nation
Environmental Protection Commission

STAFF AND GUESTS:

Tom Elkins, CNEP
Jackie Woodward, CNEP
Shawn Shepherd, CNWM
Nancy John, CNEP
Shaun West, CNEP
Chad Harsha, CNAG
Pat Gwin, CN Admin Support
Joe Washum, CNB
Stephanie Rainwater, SWCA
Dwayne Fain, CNRM
Laura Adair, CNEP

1. Meeting called to order by Chairman Matlock at 9:07 A.M.
2. Chairman Matlock acknowledged and placed into record the Record of Public Notice and Agenda, distributed and posted as appropriate.
3. Commissioner Fite made a Motion to approve the minutes from the April 3, 2015 meeting, seconded by Commissioner Spears, roll call vote, minutes approved.
4. Public Comments – None
5. Reports
 - A. EPC & Environmental Programs & NEPA projects for Realty, IHS, NAHASDA, Roads-Tom Elkins
 - Provided a status report on the EPC revision project.
 - Working with HUD to standardize some of the categorical exclusions and environmental assessment documents. NEPA issues being discussed at several tribes.
 - Chairman Matlock emphasized that the EPC needs better processes and suggested that bylaws be developed to define internal controls.
 - Discussed a diesel spill on 1-40 near Sallisaw Creek. Cherokee Nation was not notified of the spill, although several agencies did respond. EPA may not have been notified. Chairman Matlock suggested a mutual aid discussion with Troopers.
 - B. Administration Support
 - Seed Bank distribution has ended for the year.
 - Endangered species concerns were discussed.

- C. Cherokee Nation Businesses-Joe Washum
- Will Rogers Downs update regarding manure disposal and sewer line connection was provided.
 - Blue Ribbon Downs update was provided.
 - Roland Casino grand opening is on schedule.
 - Outpost I funding for renovation is an agenda item on the Board of Directors meeting this month.
- D. Emergency Management-Dwayne Fain
- Informed the Commission that Emergency Management has been moved to the Marshal Service and Marshal Scott Craig is the transition team leader.
 - Chairman Matlock requested that Mr. Fain continue to participate in the EPC meetings on behalf of Risk Management.
- E. Natural Resources-Mr. Gulager is not in attendance
- Chairman Matlock requested that a Natural Resources representative be at all EPC meetings.
6. Cherokee Nation Sanitary Landfill-Shawn Shepherd
- Discussing cell expansion & financing
 - Financial historical data-since 2007 average loss per year has been \$1.47 million-under current management for the first full year shows a loss of \$319,000-losses have been cut, on average, about \$1.2 million annually
 - Jackie Woodward reported on compliance issues, mainly cover problems that have been addressed. Erosion issues are systemic. Compliance schedule items still exist; discussion ensued on specific items and the process to address the issues.
 - Chairman Matlock request that the CNEP Administrator and CNWM leadership collaborate on issues and report back to the EPC at the next meeting.
7. Attorney General Issues – Water Plan – Chad Harsha
- No new information to report
 - Requested a copy of the draft notice of finding of impact. Chairman Matlock provided information on the Department of Interior’s process when these documents are received by that office.
 - Commissioner Fite stated that he would no longer be a member of the Water Board after May 14th.
8. Environmental Statute Review – Tom Elkins
- Discussed in the Administrator’s report
9. New Business
- Chairman Matlock stated that the mercury issue has been moved off the agenda until a meeting can be scheduled with the Secretary of State. Updated data was forwarded from Chairman Matlock. The first report is a stand-alone substantial report and there is a 90% probability, based on the Sallisaw Creek data, that mercury levels in fish tissue are too elevated for women and children and there is a 50% probability that it is too elevated for men to eat based upon consumption rates.
10. Announcement of upcoming meetings and events
- Next EPC meeting at 9:00 A.M. – June 9, 2015

11. Commissioner Fite made a Motion to adjourn, seconded by Commissioner Spears, meeting adjourned.