

**CHEROKEE NATION ENVIRONMENTAL  
PROTECTION COMMISSION  
MEETING**  
Cherokee Nation Environmental Programs Office  
208 E. Allen Road, Tahlequah, Oklahoma  
December 10, 2015 – 9:00 AM

**APPROVED**

JAN 05 2016

Cherokee Nation  
Environmental Protection Commission

**PRESENT:**

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

**ABSENT:**

Commissioner: Dr. Lynna Carson

**STAFF AND GUESTS:**

Tom Elkins, CNEP  
Shaun West, CNEP  
Jackie Woodward, CNEP  
Philip Ketcher, CNEP  
Nancy John, CNEP  
Pat Gwin, CN Admin. Support  
Debra Wilson, CNGC  
Sara Hill, SONR  
Joe Washum, CNB  
Rick Gassaway, CNNR  
Cohl Fowler, Gov. Rels.  
Billy Hix, CN OEH&E  
Laura Adair, CNEP

1. Meeting called to order by Chairman Matlock at 9:10 AM.

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2. Commissioner Fite acknowledged and placed into record the Record of Public Notice and Agenda, distributed and posted as appropriate.
3. Commissioner Spears made a Motion to approve the minutes from the November 10, 2015 meeting, seconded by Commissioner Fletcher, roll call vote, (Commissioner Fite was not in the room for the vote) minutes approved.
4. Public Comments – Chairman Matlock welcomed the Secretary of Natural Resources, Sara Hill. Commissioner Fletcher provided an update from the Solid Waste meeting in Adair County and possible future activities.

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5. Reports
  - A. EPC & Environmental Programs & NEPA projects for Realty, IHS, NAHASDA, Roads-Tom Elkins
    - Mr. Elkins is seeking information on the lagoons as requested in the last EPC meeting but does not have any information at this time but asked Mr. Hix to provide any information he may have regarding the lagoons
    - Mr. Hix has asked the Housing Authority for information on all the lagoons and on all houses built in the past and is currently planning to build for inventory purposes but has not received any information. Provided the Commission information regarding a joint

building venture with the Quapaw's that does have some lagoon issues which are outside of the Cherokee Nation that is currently under a Consent Order.

- Chairman Matlock stated that these lagoons fall under the jurisdiction of Environmental Programs for water quality or we yield to the state and we no longer have sovereignty.
- Chairman Matlock requested a representative from housing at the next meeting. SONR will discuss the issue with Mr. Cooper. This needs to be a part of CNEP's reporting until it is resolved. Mr. Hix stated that the two lagoons that CN is responsible for is Kenwood and Cherry Tree. Commissioner Fite asked if someone could be brought in to monitor all the housing tracts being built. Mr. Hix stated that IHS has a program that tracks this information and Cherokee Nation participates.
- The challenge is sorting out how we work with our partners in the tribe to ensure that the process does not become a problem or legal violation.
- Mr. Ketcher provided an overview of the water program via a Power Point presentation. Discussions ensued regarding fish and water testing, test results, and strategies.
- Leachate is down but it is in violation by an inch or so. Discussion was held on the elimination of the leachate pond.

B. Administration Support- Pat Gwin

- Working on grants the past month.
- Received one day training in Dallas on the TDML process model on the Illinois River
- Currently has endangered species funding that was awarded for cave work in Delaware County, contemplating other endangered species projects for the funding.
- The tribe has a rudimentary IRMP but it has never been approved and does need to be re-worked

C. Cherokee Nation Businesses- Joe Washum

- CNG containers are being protected at the Outpost
- Outpost project scheduled to be completed in May
- A line is being removed at Cherokee Springs, approximately 500 feet, will ensure it is disposed of properly.
- At WRD an engineering company will be performing some core sampling in January for the line. All property easements are in place, plans are to be finalized in February with a June start date on construction.

D. Emergency Management – no representative in attendance

E. Natural Resources- Rick Gassaway

- Discussed the possibility of a tour of the buffalo operation after a future EPC meeting

6. Cherokee Nation Sanitary Landfill- Fan Robinson via conference call

- Have not received approved funding from the Council
- Mr. Woodward is working on determining the slopes at the landfill with a laser range finder with a program that can determine slopes. Pictures of the landfill are shown as the slopes of the cells are being discussed. The slopes are 3:1, in regards to compliance slopes are supposed to be 4:1. Ms. Robinson explained the measures taken to ensure safety. The landfill is out of room and out of compliance; the gates may have to be shut.
- An application from deviation of regulations is needed for short-term which will provide a framework for operating. If it can't be fixed now, tell us why, and how it can be fixed in the future, and ask for a variance which must be time specific and conditions of how to mitigate safety and environmental concerns during that operation and submit the application to Environmental Programs. Mr. Elkins will send a list of things needed to the Chair and Landfill Manager.

7. Secretary of Natural Resources – Sara Hill
  - Secretary Hill’s items will be moved up in the schedule
8. Environmental Statute Review – Tom Elkins
  - SONR is coordinating work with the contractor.
9. CN Industrial Lagoon – Tom Elkins
  - Discussed earlier in the meeting.
10. New Business
  - A letter was issued on December 7<sup>th</sup> to the City of Siloam Springs from the Oklahoma Department of Wildlife Conservation related to the Sager Creek vegetable company’s discharge into Sager Creek, sending the slug of BOD’s to the wastewater treatment plant at Siloam Springs and the subsequent discharge that Siloam made into Sager Creek. Claiming about \$14,000 in damages to the fish community, about 36,000 fish, and \$1,100 in investigative costs
11. Announcement of upcoming meetings and events.
  - Next EPC meeting will be January 5<sup>th</sup> at 9:00 AM
  - December 11<sup>th</sup> is the CN Christmas Program at The Place Where They Play
  - CNEP Christmas celebration is Friday, December 18th
12. Meeting adjourned