

**CHEROKEE NATION ENVIRONMENTAL
PROTECTION COMMISSION
MEETING**
Cherokee Nation Environmental Programs Office
208 E. Allen Road, Tahlequah, Oklahoma
February 2, 2016 – 9:00 AM

PRESENT:

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

APPROVED

MAR 08 2016

Cherokee Nation
Environmental Protection Commission

STAFF AND GUESTS:

Tom Elkins, CNEP
Shaun West, CNEP
Salli McLemore, CNEP
Nancy John, CNEP
Wayne Isaacs, CNEP
Pat Gwin, CN Admin. Support
Chad Harsha, CNAG
GV Gulager, CNNR
Kathy Nelson, CNNR
Joe Washum, CNB
Jeremie Fisher, CNEM
Fan Robinson, CNWM
Jamie Clinton, CNWM
Billy Hix, CN OEH&E
Laura Adair, CNEP

1. Meeting called to order by Chairman Matlock at 9:05 AM.
2. Commissioner 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 January 5, 2016 meeting, seconded by Commissioner Spears, roll call vote, Commissioner Carson abstained, minutes approved.
4. Public Comments – None
5. Secretary of Natural Resources – Sara Hill – reporting for SONR Hill, Chad Harsha, CN Assistant Attorney General, no updates on the Water Plan.
6. Reports
 - A. EPC & Environmental Programs & NEPA projects for Realty, IHS, NAHASDA, Roads-Tom Elkins
 - Commissioner Spears asked Mr. Elkins for the sampling locations on Lake Tenkiller, Mr. Elkins will follow-up and have an agenda item at next month's meeting.
 - Commissioner Fletcher asked the name of the pesticide of concern in the elimination of ticks. Mr. Elkins will provide that information via email.

B. Administration Support- Pat Gwin

- For the past two weeks, the CN seed bank has received more inquiries than the rest of the CN combined.
- Chief Baker was appointed to the team of tribal leaders that rewrote the US Fish & Wildlife Service Native American Policy and a document has been signed.
- The contact person for the river cane project is Mr. Gwin and Roger Cain.
- The Value Added Product Grant is a USDA grant, in conjunction with the University of Arkansas, the tribe will be developing a Brand so that it can begin marketing and producing Cherokee food items.

C. Cherokee Nation Businesses- Joe Washum

- Cherokee Springs Storm Water Plan is being reviewed working with contractor and DEQ.
- Announcement of plans to build a casino in Grove.
- Work continues on the WRD storm water lagoon.

D. Emergency Management – Jeremie Fisher

- Mr. Fisher is the new EM Manager
- Has been working with departments and communities on emergency preparedness plans
- A majority of the Tribal Homeland Security grant funding will be used to purchase a mobile command unit
- The Hazard Mitigation Plan was reviewed and submitted to FEMA for review.

E. Natural Resources- GV Gulager

- Mr. Gulager provided an update on the buffalo operation and Sallisaw Creek Park

7. Cherokee Nation Sanitary Landfill- Fan Robinson

A. Discussion regarding the amount of rainfall listed in the report

B. Compliance issues remain the same and are minor except for the leachate pond

C. Leachate Pond

- Mr. Clinton provided an overview of historical events and status of the leachate pond. The EPA has decommissioned the leachate pond. CNEP has also performed sampling and only a couple of minor issues were found and addressed. Mr. Elkins also provided a historical overview of the leachate pond. Mr. Elkins recommendation was to approve decommissioning the leachate pond. Mr. Clinton wants the pond to be a storm water pond to be used for dust control. Mr. Elkins also provided information and concerns about the proposed locations of the new cell.
- **Commissioner Carson made a Motion to decommission the leachate pond and reclassify the leachate pond as a storm water pond, Commissioner Fletcher seconded the Motion, roll call vote, the Motion carried with no opposition.**
- The next plan of action is to secure a NPDES permit for storm water discharge, Cherokee Nation does not have a Clean Water act or water quality standards so a permit cannot be issued for water quality, therefore the permit must be issued by Region 6 EPA due to trust land status.
- Mr. Gwin asked where the NPDES outfall is located at the Cherokee Nation landfill. Is the outfall where the discharge leaves tribal property or is the outfall classified as where it hits a receiving stream? It is permit specific and it depends on how the permit was developed. It is usually the last place of physical control of the resource. This topic will need to be researched and addressed.
- Regarding the new cell, a modification will be forthcoming of the existing permit. Chairman Matlock stated that minor modifications to the permit do not require Commissioner action.

- A request for variance of the slope was submitted to the Administrator because of the slope compliance issue. A request of variance, because of the potential safety issues, will not be acted upon by the Commission but safe operating procedures are needed.
8. Environmental Statute Review – Tom Elkins
 - Mr. Elkins reported that the Secretary of Natural Resources is working on this topic.
 9. Inventory of Lagoons – Tom Elkins
 - Mr. Elkins reported that an inventory has not been received.
 10. New Business-none
 11. Announcement of upcoming meetings and events
 - Illinois River TDML meeting will be February 11-12. This is not a public meeting
 - Environmental Festival will be held on April 29, 2016 at Talking Leaves Job Corp
 - Next EPC meeting will be March 8th at 9:00 AM
 12. Meeting adjourned