#### LOCAL ENVIRONMENTAL ACTION DEMANDED

# The LEADer





### As 2021 ENDS Tar Creek ranks # 6 on the list for America's MOST ENDANGERED RIVERS

#### DAM REMOVED BY GRDA

Response from the DEQ on the complaint about the illegal dam built on Tar Creek resulted in a referral to the Oklahoma Water Resources Board and the Army Corps of Engineers. Dam construction was first discovered Labor Day weekend. GRDA conducted an illegal man-made dam removal effort in Miami OK on the morning of December 2 on a section of Tar Creek.

The dams had been constructed over the summer and fall by un-named persons. These actions are a violation of the Clean Water Act and also against regulations obstructing any stream or river that flow into the Grand Lake o' the Cherokees. The names of those responsible are being sought by both the City of Miami and GRDA.

The hours long operation involved numerous employees and heavy equipment was required to complete the cleanup of the area.

None of the staff members were allowed to enter the water as the waters can contain heavy metals that can effect human health.

LEAD Agency executive director and Tar Creekkeeper, Rebecca Jim had submitted a complaint to the Oklahoma Department of Environmental Quality months ago about the dam construction that had been discovered.

The complaint was referred to the Army Corps of Engineers who then gave that authority to act to GRDA.

The agencies responded to a plea to act on the creek's welfare and protect this important asset to the City of Miami," Rebecca Jim stated.

Citizens should note DEQ Hotline number 800-522-0206 to report environmental concerns.

Scott Horton with GRDA asks us to call City or County when response to violations is needed quickly.

# THE DAMS ARE DOWN!

TAR CREEK
WILL BE
ALLOWED
TO FLOW
MORE
FREELY
NOW





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#### NATURE HAS RIGHTS WE HAVE RESPONSIBILITIES

Long before the "two-legged" walked upright, this earth was inhabited by what we so easily call *nature*. However you think of it, we know as a society, as people, most of us are much removed from the pleasure being in it can bring. The beauty along our creeks serves as our buffer, provides life to the communities of species, and is our gateway to the treasures of the natural world we live upon with them.

We are proud to say we are a nation with a Bill of Rights, rights that refer so vainly to humans, and in our history, that has not always been true to ALL humans who live here. Thankfully there have been movements that have broadened those rights and extended them to be ever more inclusive.

While on this planet even in remote places, there is a new understanding coming forward that we are not alone in being deserving of rights. Whole countries are claiming rights for rivers and Nature in general. Many people in Miami began to imagine what having their own Right to clean water could be this year, and what rights our Tar Creek should have when they read and signed the initiative petition that was circulated.

The Rights of Nature. Last summer the members of the Intertribal Council after a brief discussion voted unanimously in favor of passing a resolution for those rights. These same tribes and tribes throughout the nation will be considering bringing this recognition into their own tribal governments, councils and business committees as standing for Rights of Nature.

Each of us can begin to grasp the importance of respecting our mother, as human impacts on nature become ever more clear: our flooding, the coming droughts, and 200-mile long tornados.

We understand Nature's right deeply and much more clearly as we take ourselves out in it. Bill Jacobs, a Catholic ecologist, once asked: "How do we begin to love the earth? People have to love the Earth before they save it."

Take some time and gift yourself that afternoon sun, a moment to value the treasures we have around us. There are random seedlings that are planning their life's work for your grandchildren. For us at this time our responsibility is to live through this pandemic for them. For in us are the stories we have not yet told, the work we have not completed and the true love we still need to express.

With Rights also comes Responsibilities. We have a responsibility to ensure those rights for Nature, too, since we have caused the pandemic the earth and all Nature faces: human-caused climate change.! We did this and responsibility lies with each of us to do all we can individually to mitigate the harm we are causing the future.

Your Tar Creekkeeper ~ Rebecca Jim

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Martin Lively

Tar Creekkeeper

Rebecca Jim

Intern

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#### FROM THE PRESIDENT ~ EARL L. HATLEY

LEAD
AGENCY
BOARD AND
MEMBER
MEETINGS

IF YOU ARE NOT RECEIVING THE ZOOM OR CALL-IN #'S AND WANT TO PARTICIPATE

CALL

918-542-9399

MESSAGE US ON FACEBOOK

## Board Policies on COVID-19

LEAD's Board directs our staff to remain masked in the office when working together, regardless of vaccination status. Visitors will be provided masks during the pandemic. Employees must act in ways that protect the broader community. and the individuals we interact with.

LEAD CONTINUES TO FOLLOW COVID 19 CDC GUIDELINES

FOR SAFE WORKING CONDITIONS AT OUR OFFICE AND TO PROMOTE SAFE PUBLIC MEETINGS TO PROTECT US ALL. I want to wish all of you a happy holidays season and extend my hope that this time is warm and inspiring for us all. I know, too, that this is a difficult time to be saying such things with COVID still trying to block our attempts to be normal right now. Even new normal isn't working so great! However, we do have a lot to be thankful for and to the best of our abilities we will make the most of this time.

At LEAD Agency, we are thankful for our new Board of Directors that were elected by you, the members, in October. You can see the list in this newsletter. I will mention our new Vice President, Grace Goodeagle, Treasurer, Kelda Lorax and Secretary, Jill Micka. I am so grateful, humbled, by how they stepped up to take these positions. In fact I humbled by all of our Board members, I think this Board will do great things as LEAD moves forward.

For starters, we are excited to see the dams come down on Tar Creek and she is flowing free again!! It took our staff pushing against the City of Miami and all the agencies involved to make it happen. I especially want to thank Rebecca and Martin for their tenacity with that effort and also thank Dana Jim for his help with legal analysis and especially at the creek itself. LEAD is working to have Tar Creek listed again as one of America's Most Endangered Rivers. Stay tuned to see if that is successful and what the community can do to be involved.

We heard from the DC Court of Appeals regarding our case against EPA over their approval of Oklahoma's Coal Combustion Residual Rule (CCR), stating that they will not need further briefs and are ready to hear arguments, then decide. Arguments are slated for January and the case could be decided in Feb. or March. At issue is the Oklahoma rule's lack of public participation and their allowance of permits for life (permits will never come up for renewal and public comment, ever!). This is what I call a sleeper case because the rest of country does not know how this case impacts public participation and right-to-know across the entire environmental permitting structure and citizen participation in general for solid/hazardous waste, air, water, oil and gas, etc.

Lastly, this late summer, the Board passed new language for LEAD's Mission Statement, Bylaws and Personnel Policy that reflects our new Justice, Equity, Diversity and Inclusion Policy (JEDI) for the organization. LEAD has always been an Environmental Justice organization. When choosing potential Board members and staff, we have always sought diversity (insuring a mix ratio of Native American and non-Native, as well as male & female). We have a no discrimination policy regarding hiring including sexual orientation. However, none of this was written as policy in our documents. Also, we have always used consensus in our decision making. That too was never written. I can now say, thanks to the Board, our new JEDI Policy is approved and is imbedded in those documents I mentioned. LEAD honors our diversity: the diversity of nature and our diversity as human beings.

It is truly an honor to be your President!!



Earl of Hailey

PROTECTING OURSELVES PROTECTING OTHERS

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#### PARTNERSHIP IS THRIVING



THRIVING EARTH The ongoing partnership between LEAD Agency,

AGU Thriving Earth Exchange, the Anthropocene Alliance, 500 Women Scientists, and Siena College developed a team using community-based participatory research and online mapping tools to create a map to illustrate the relationships between floodwaters and legacy mine waste from the Tar Creek Superfund Site and homes in floodplains.

The intended use of the map is to better communicate to policymakers, agency officials, and the public the risks the community faces. The map is used not only to inform residents of the potential health impacts of the mine tailings and flooding risks, but also to empower them to advocacy efforts.

#### PROJECT IS FEATURED

The American Geophysical Union Fall Meeting was hybrid, both in-person and virtual. AGU meetings and scientific conferences foster learning and collaboration and promote topics that enhance perspectives across Earth and space science. We were thrilled that our mapping project was accepted this year as a presentation.

#### SILVERJACKETS

William Smiley spoke recently at a meeting at the Miami Civic Center about the Oklahoma Silver Jackets, a collaborative team with partners and stakeholders including the National Weather Service, US Geological Service, the US Department of Agriculture, the US Bureau of Reclamation, Oklahoma Floodplain Managers, the Oklahoma Water Resources Board, the Oklahoma Emergency Management Office, the Oklahoma Corporate Commission, Oklahoma Department of Agriculture, INCOG.

The Oklahoma Silver Jackets team is a standing member of the Oklahoma Hazard Mitigation Team through the US Army Corps of Engineers Emergency Management Office. Smiley is working with the City of Miami to get in front of the next flood to have mitigation strategies in place before high waters come. This program is an important mechanism to be proactive and citizens and community input makes it work.

#### **FEMA COMMENTS DUE JANUARY 27**

The agency is seeking input from the public on the floodplain management standards that communities should adopt to result in safer, stronger, and more resilient communities. FEMA has not revised current floodplain management standards for flood-prone area regulations since they were implemented in 1976. SPEAK UP!!

https://www.regulations.gov/document/FEMA-2021-0024-0001

#### A FLOOD SURVIVOR'S STORY

I am Carol McCool and in the 44 years this has been my home, we have flooded 5 times. For every foot they raise the lake level it is another foot of backwater in my living room when it floods In the flood of 2007 we had just below 4 feet of water. We moved into a FEMA trailer and were living there when my husband passed away. Now that I am 74 years old and with the raising of the lake level, there is no hope for me.

I have no way out and nowhere to go. The only thing that would make a difference is the early release of the water at the dam and the lowering of the lake level in our rain prone seasons.

We now live in times when we are faced with more frequent rains and catastrophic flooding. Now is the time to prepare for lowering lake level.

This would keep the rivers moving downstream and eliminate the backwater effect.

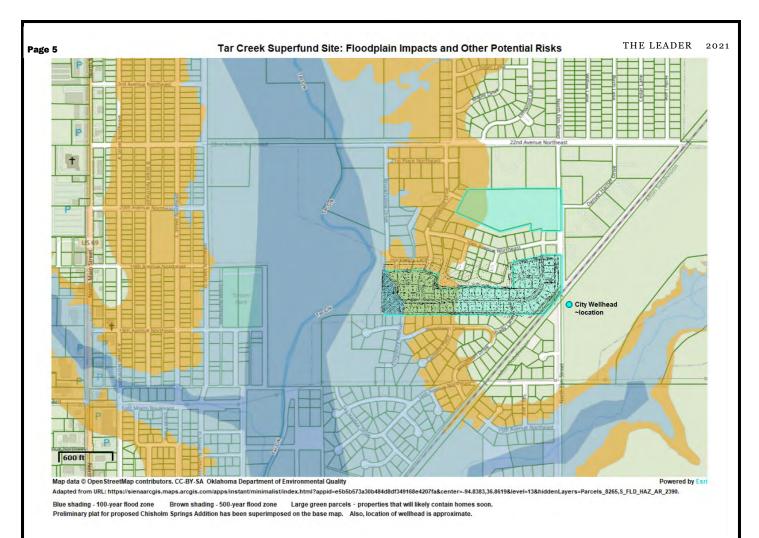
My future is very grim due to the raising of the lake level.

I am waiting on the day I lose everything, with nowhere to go nowhere to live I fear everyday of a flood that will take everything.

Carol's words were heard during the 23rd Tar Creek Conference.

"OUR FLOODING COULD BE CONTROLLED BY MAN"

Carol McCool



# USE OF OUR MAP ILLUSTRATES DEVELOPMENT MAY LOCATE MANY NEW HOMES IN FLOODPLAIN

American Geophysical Union AGU assisted LEAD in producing a flood map for our community. AGU provided a Community Science Fellow, Jessica Tran who was able to locate Kate Meierdiercks, Siena College in the Department of Environmental Studies and Sciences and Jim Kuipers, an engineer who joined our team who collected the information needed for the layers a map like this would require. The Map is still being reviewed by local entities for additional layers that might benefit the community.

A portion of land in Miami, OK that has been a "green belt' for a neighborhood, was recently purchased by a developer who is proposing to build a number of homes.

Members of the neighborhood are organizing efforts to restrict the number of homes built on that site in order be more protective of the flooding that could occur from Tar Creek.

Gina Manders, using LEAD's Flood Map, screenshot the development on a portion of our map to illustrate the number of homes that will be built both in the 100 and the 500 year flood plains (see above).

This portion was used by Rebecca Jim as an example during a recent Miami City Council Meeting to illustrate the need for citizens to respond to a FEMA request for comments on updating the regulations for the agency, which have not been updated in 50 years.

Knowing our Flood Map is already being used in the community to demonstrate flood risks, makes its value evident.

#### THE SINGLE RAINDROP NEVER FEELS RESPONSIBLE FOR THE FLOOD.

**DOUGLAS ADAMS** 



Our efforts got our Federal and state agencies to recognize



## WE STAND WITH TAR CREEK

An illegal dam was constructed on Tar Creek this summer and into the fall. This restricted flow, with captured water made more hazardous to health as harmful bacteria was established. Numerous trees were cut or vandalized along the streambed.

A complaint was submitted to the Oklahoma DEQ Hotline reporting the dams Over several months LEAD Agency made numerous follow-up efforts with state agencies.

LEAD collected water samples that confirmed hazardous bacteria was forming in the dammed water. We are grateful to the Peoria Tribal Environmental Department and the Science Department at NEO College for taking having the additional water samples analyzed.

# Special Thanks

Kathryn Savage - Lauren Haygood - Dana Jim **Miami Schools** Marla Stidham Jeff Harlem Dawn Hill

#### **University of Oklahoma**

Bob Nairn, Laurel Smith, Jenna Randall Diana Denham Valerie Doombas **NEO Science Department** Nina Eads Trevor Melvin Peoria Tribal Environmental Department ATSDR City of Miami





wrong and take corrective actions to protect Tar Creek

## WHY AMERICORPS VISTA? ~ MARTIN LIVELY

Four years ago Rebecca asked if I would serve as an AmeriCorps / VISTA. I was vaguely familiar with national service but didn't know much beyond that. Long story short, I signed up for a one-year term of service that ultimately stretched to three years.

The VISTA program is open to any American 18 or older, with only limited exceptions. It has no minimum education or experience requirements, though host organizations can be more specific. All VISTAs work full-time.

#### What is the VISTA program?

VISTA stands for Volunteers In Service To America. It was created in 1965 with the goal of alleviating poverty by increasing the capacity of host organizations. VISTAs are paid by the federal government, but serve at non-profit organizations or government/tribal agencies. Qualifying host organizations vary widely because the mission of poverty reduction is interpreted broadly. VISTAs serve in rural and urban areas across the nation.

VISTA is unique among national service programs because it focuses on capacity building through indirect services. Most national service opportunities (AmeriCorps, Peace Corps, etc.) emphasize direct services. For example, an AmeriCorps member serving in a tribal food security program might teach gardening classes. A VISTA serving at the same organization might design the class's curriculum, draft operating procedures, recruit volunteers, or write grant applications. Through these indirect services (and because a VISTA can't replace or duplicate the functions of existing staff), VISTAs increase the ability of host organizations to serve their community.

What I've come to appreciate about the VISTA program is that it speaks to introverts like me. I am happiest working "behind the scenes" with a few colleagues. Being a VISTA is a natural fit for this sort of work. Writing grants, designing and implementing new projects, improving old ones, recruiting volunteers expand the capacity of non-profits. Of course, no one can understand the work of a non-profit if they don't get out and do some of the work themselves; being a VISTA is no exception. While the emphasis is on indirect service, most VISTAs will also spend part of their time serving the community directly.

#### Who makes a good VISTA?

A good person, honestly. Any qualified person who wants to help a non-profit be more than it is or work better than it does and who is willing to work hard to support that mission can be a successful VISTA. We typically think of national service as being for young people out of college, and that is the dominant demographic among VISTAs; however, mid-career or retired people also make great VISTAs. They bring the maturity and experience of having been an adult for a while, and can be very effective at identifying ways to optimize or expand a non-profit's capacity.

#### **VISTA Benefits**

Let's be real for a moment. Being a VISTA will not make you rich; it pays a small living stipend that will support a frugal standard of living. That works for some, but not for others. If that can work for you and you complete a year of service, then you will also receive your choice of an additional cash stipend OR and education award you can use to pay down school loans or for future education or professional development. VISTA alumni also receive six months of non compete status for many jobs with the federal government. If you have student loans, you may place them in forbearance while you're serving, and the federal government will pay any interest that accumulates during service. If you make student loan payments while serving (or have an income-based repayment of \$0), then those payments during service count toward public service loan forgiveness.

The best benefit of being a VISTA, though, is having work that is worth doing.

Whatever non-profit you might work for, they are serving the public before themselves, before shareholders, before profits. To increase a non-profit's reach and effectiveness is rewarding work - it is work worth doing.

Take a year. Give a year. You won't regret it.

LEAD Agency is hiring a new VISTA.

Come work with us for a year!

To learn more and apply,

go to

tinyurl.com/tarcreek

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#### A Transition at LEAD ~ Earl Hatley, President

When Rebecca and I founded LEAD Agency 24 years ago we never imagined this organization would last this long, however we prayed that it would because we knew the Tar Creek Superfund Site would not be cleaned up by the end of our lifetimes, not fully. Our heart's desire has been that younger activists would come along and ultimately take our place, so that LEAD would continue beyond us.

Now, 24 yrs. later, I am so proud to report that a first stage of this transition has occurred. On Nov. 11, I stepped down as your Grand Riverkeeper after 18 years in that position and handed off that torch to our VISTA for the past three years and longtime

LEAD Agency friend and supporter, Martin Lively. In our October member's meeting I ran for and was elected to LEAD's Board of Directors, and was elected by the Board as President (a position I held before resigning to become Grand Riverkeeper in 2003).

This move, sadly, was prompted by last summer's passing of our then Board President Louis "Red" Mathia. Red was on our Board and was elected President after I became Riverkeeper. He held that position for all of those 18 years with distinction. I will always cherish Red as our President and his service to this organization. How cool was it to have a 13 years long Mayor of Miami as President of our

Board? Not only that, he totally believed in LEAD and our mission. We couldn't have asked for better support or leadership. Wado, Red!!

These transitions are proof that LEAD is strong and moving into the future. Our Board of Directors is made up of seven others, besides myself, dedicated and willing proponents of LEAD's mission. When we held elections for officers of the Board, I was humbled to see so many of them ready to stand up and serve the organization. I have no doubt LEAD will continue long after Tar Creek is restored to her prime as a pristine watershed and the Tar Creek Superfund Site becomes an historic artifact. There will be more work to do!

MEMBER

#### MEET OUR NEW GRAND RIVERKEEPER - MARTIN LIVELY



It's an honor to serve as LEAD Agency's Grand Riverkeeper. Earl has been a tireless defender of the Grand River watershed, and I'm thankful for his continued service as our Board President and liaison with the Waterkeeper Alliance.

Grand Lake and the Grand River watershed are threatened not only by Tar Creek metals, but also nutrient runoff from CAFOs and slaughterhouses, over-application of pesticide and insecticide which enters the watershed, and the state of Oklahoma's general failure to regulate polluting industries and to enforce the few rules on the books.

We shouldn't have to worry whether our rivers, lakes, and streams are safe to swim in, fish from, or drink. As Earl notes, there is much work to be done. If each of us does what we can, acts where our action can make a difference, then we can make our waters swimmable, fishable, and drink-

IT IS WHEN WE ARE IN TRANSITION THAT WE ARE MOST COMPLETELY ALIVE

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# What do we want?



#### Yes, we want clean water.

Water that is swimmable, fishable and drinkable.

We also want **clean air**, **clean soil** and a planet we can pass on to our future generations.

LEAD Agency is in this fight and we are stronger with your continued support.

Follow us on Facebook, check out our website **www.leadagency.org** and join as a member.

If you are already a member, update your membership form by completing a new one.

Check your status at your county election office and make sure you are registered to vote your conscience.

#### **Our Partnership Releases Important Guidance for Compost:**

# TAKE NOTICE WHEN USING COMPOST IN YOUR GARDENS

#### **Compost Best Practices**

For garden and raised bed application: We recommend 1 part compost to 2 or 3 parts growing soil

#### For use as a soil amendment:

We recommend compost additions to the topsoil of no more than 1 inch

We also recommend using protection from airborne dust and washing hands after handling spent mushroom compost.

#### Curious about what's in your compost?

A partnership between J&M Farms, LEAD Agency and Geosciences Department at Wellesley College (MA) have analyzed "fresh" compost and have found that J&M's compost:

- Has low levels of lead and other toxic metals
- Has similar nutrients to other commercial compost

We are continuing to test samples in collaboration with J&M this fall and will share results with the community through the LEAD Agency's Facebook page.

Rev October 2021

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# CLIMIGRATION NETWORK COLLABORATION

LEAD has entered into a multi-institutional collaboration with Climigration Network, the Anthropocene Alliance and Buy-In Community Planning. Our purpose is to identify climate displacement solutions for our communities in Ottawa County.

Communities face climate change throughout the nation. This collaboration has the potential to establish a structure and platform that could help others in the future.

We will be forming a steering committee with 4 people who will attend virtual meetings with other grassroots organizations with similar issues. This group will design interview questions and will develop survey questions for home owners and implement the survey in the community.

Results will be shared locally as well as any climate risk or flood risk and FEMA flood maps that are available. The project is set to be completed in August 2022.

Climigration Network prioritizes building capacity in less-resourced communities that want to consider relocation – these communities are experiencing the greatest risk, and their lessons will inform other communities' policy advocacy at all levels of governance.

#### **GUARD THE GRAND**

#### WATER QUALITY EDUCATION GRANT

LEAD has been approved a grant in the amount of \$2000.00 to purchase an Enviroscape Model, six pairs of waders and waterproof notebooks.



#### OFFER CREATES OPTION

Recently we received word from a couple who have been associated with LEAD Agency for over a decade. They wanted to know if our organization had the capacity to accept stock donations. We had never been asked that question before. Our accountant assured us we would be able to, but only through a brokerage account with a firm that could handle stock transfers. This led us to inquire with Edward Jones and yes, they set up an account for us right on the spot.

We hadn't received that stock transfer at the time of this newsletter, but believe it is coming before month's end. We are prepared and would be grateful if donating stock to a non-profit is an option you might want to pursue.



#### "BIG or SMALL"

The bag of used ink cartridges dropped off for recycling. A half dozen large pots for next spring's tomato plants. A small jar filled with spare change. A half hour working in the community garden. Gifts like these are often labeled "small contributions." But there's nothing small about them. In fact, they're among the most powerful gifts we receive at LEAD.

When someone drops off extra flower pots or puts a few books in the Free Little Library outside our office, they manifest the change they want to see in the world. And they're making it happen right here in Ottawa County. There's nothing small about that. Those small contributions are huge. They keep LEAD Agency thriving.

Without the support of our community, without you, we will never see a clean, safe, and healthy future. Continue making your big small contributions. When you step up and manifest the change you want to see, be proud of that. Tell a friend or a neighbor about it. You never know what big small contribution they might make.

LEAD Agency, Inc. 223 A. St. SE Miami, OK 74354



There is a pleasure in the pathless woods ... I love not man the less But nature more - Lord Byron

# WARNING

Tar Creek flows through the Tar Creek Superfund Site and is loaded with heavy metals from the Picher Mining District, one of the largest lead and zinc mining sites in the world where much of the nation's lead ore was once mined. Therefore, the potential for lead exposure exists throughout much of Ottawa County where the mine waste was spread as sand and gravel.

While you are enjoying Tar Creek and its surroundings, please be aware some areas may have lead and take these simple precautions.

#### SEDIMENT ADVISORY

Sediment (rocks, sand, dirt, etc.) within much of Ottawa County has been found to contain lead.

Please take these simple precautions to protect your family while enjoying the creek.

Do not take the rocks, sand or dirt home with you.

Wash hands using soap and water before eating or drinking.

Wash or wipe off toys that are placed in the dirt or sand.

Remove as much dirt from bicycle tires, boots and shoes as possible before leaving the area.

DEQ will be sending postcards with information on Tar Creek to residents living along and near Tar Creek.



It is not recommended to swim in Tar Creek

or to eat fish caught in Tar Creek.

