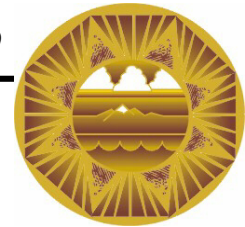


LOCAL ENVIRONMENTAL ACTION DEMANDED



The LEADer

Last Quarters 2020

COVID-19 : STILL WITH US ALL



LEAD
AGENCY, INC.

2020 VIRTUAL CONFERENCE

ADDRESSING MINING AND SYSTEMIC RACISM:
STAYING CONNECTED DURING A PANDEMIC



October 19 - 21 - 23 - 26 - 28 - 30

LEAD Agency's annual Tar Creek Environmental Conference which had been planned to be a joint in-person conference with the Western Mining Action Network this year was postponed until fall of 2021.

This created an opportunity to partner with WMAN for a dynamic and enlightening virtual conference. The sessions began with a virtual tour of Tar Creek followed with sessions addressing many of our shared issues surrounding hard rock mining while examining how systemic racism and the pandemic are effecting communities throughout Canada and the US.

All of the archived recordings available on line.

[Click on this link](#)

Plans will begin for the Fall 2021 Conference soon. Your suggestions for topics, speakers, musicians and artists to feature are welcome.

LEAD Agency Office COVID-19 Policy Remains In Place

The health and safety of our staff mandated we change our agency business practices during the COVID-19 pandemic. Since March 17, 2020, our office has been closed to visitors. Although we won't be accepting visitors, business has continued with modifications. For the most part we are working remotely. We may be at the office occasionally, but are being cautious to not expose ourselves or others. We realize this is problematic, but the safety of our community must be our priority. If you have questions please call 918-542-9399. Use either mailing address:

LEAD Agency, 223 A. St. SE, Miami, OK 74354 or 19289 South 4403 Drive, Vinita, OK 74301

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STAY HOME STOP THE SPREAD SAVE LIVES

TAR CREEK DEMANDS HER TURN

Tar Creek got invited, she snuck in at the last minute in the competition as one of the most Endangered Rivers in the country. True she isn't a river. But she does flow and she is endangered, and that designation might bring to light only too boldly that she needs some help, real help, the big kind, the inclusive and the all purpose fix she deserves.

What else did she get? She got some good attention by a local writer, Linda Sue Warner when she added Tar Creek to her prize winning short story. There is a great deal of talent out there and Tar Creek desires it. She is damaged, yet, she wants to be thought of, considered, themed in literature and rhymed in poetry and put to music in lyrics that will be hummed when you might be doing dishes or walking your dog.

Tar Creek has potential and has dreams of being your friend, your playground, your stomping grounds, your swimming hole. She wants friends to come to her and sit on that log and have feet dangle in the water. She longs to have batches of baby woodducks learn to swim in her and duck their little bills into the water to find nourishment.

Millions of dollars has been spent moving, selling and stacking up chat that is not sellable, while Tar Creek waits her turn. The Superfund site's name sake has patience. It is what she has. She waits for justice. She waits for equity, and waits to be included in the work done at her superfund site.

A creek knows no time, just as the river who accepts that water, they are simply vessels and paths for that water to flow. All moving to the wider rivers and on to the sea. The water cycle is the cycle of life, flowing from and to perpetually moving. But our Tar Creek, she flows as Ryan Lovell as a high school sophomore knew when he described what he saw as her "eternal flow of evil."

Our Tar Creek is not evil, but she carries with her the sins of our grandfathers, the ore left behind in the mines bleeds out and into this creek every day for forty-one years this month. I am keeping time for her.

Another set of children will grow up not knowing they lost the use of a treasure. Growing up next to a creek running through your hometown? Doesn't get any better. Ask countless people who knew this one before it was tainted. Ask people who grew up in Tahlequah, and other towns all over America who haven't had their creek taken from them.

It is serious what this creek has seen since mining began and on to our present. This is Tar Creek's second pandemic. Mining was in the heyday in 1918 and the interurban, the network of electric railway lines allowed miners to commute to work. The first case of the Spanish Flu was reported on March 11, 1918 in Kansas and less than 2 years later over 1,000 people had died of it in Ottawa County.

To date we have **28** deaths in this county, but at the rate we are going we could certainly match that number. That early flu and COVID19 are both respiratory viruses. Both pandemics have closed schools, but ultimately enough people wore masks and contained it before. Very interesting to many reflecting on the similarities between these time periods when looking at the presidents in power and their slow reaction and that they both contracted the virus of their day.

Tar Creek is still on course for this second round, and would gladly remind you the ones who lived through before outwitted that virus by not breathing it in and did that simply by wearing masks.

I wish you the kindest of weeks, full of fresh air, time with the people you share your home, and loving thoughts for those who from afar wish you the best.

Your Tar Creekkeeper ~ Rebecca Jim

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**JUSTICE WILL NOT BE SERVED UNTIL THOSE WHO ARE UNAFFECTED
ARE AS OUTRAGED AS THOSE WHO ARE. Ben Franklin**

LEAD / Waterkeeper Alliance Embrace Justice, Equity, Diversity & Inclusion / JEDI



In 2020, we saw much upheaval. Our health seemed to take center stage on several fronts. The most obvious is the COVID-19 virus. But the virus also pointed out disparities in our health care system. Compounding all this was the brutal death of George Floyd at the hands of the Minneapolis police which pointed out the disparities in our criminal justice system. At the heart of both of these important systems within our society is systemic racial and class discrimination that has been a part of the fabric of our country from its founding. In 2020, we witnessed ways in which this problem continues and how those who face discrimination suffer still today and when, in crisis, our system leaves them behind in cruel ways.

Our health care system benefits the rich and middle class, who can afford it, and is cruel to those who can't. Those who can't afford adequate health care suffer the most from chronic conditions that COVID-19 capitalizes on and puts them at risk of death and even more long term chronic conditions. Black, Indigenous and People of Color (BIPOC) are more likely to be stopped and incarcerated by police than white people. The death of Mr. Floyd and others in 2020 illustrated this problem before the world, and caused thousands to take to the streets, even during a pandemic. For me, as an environmental organizer, I had seen this before, but not quite so dramatically. 1989, through a United Church of Christ report, it was found that the majority of Superfund Sites, toxic waste dumps and polluting facilities (like refineries, manufacturing) were located in BIPOC

and low income communities. As an organizer back then, I knew first hand that people in those neighborhoods and communities were made sick from the pollutants in their air, soils and water. They suffered from cancers, and chronic diseases. Medical doctors not familiar with toxic exposures misdiagnosed their diseases most of the time. This situation is still prevalent today. The report spawned a letter by Indigenous, Hispanic and Black leaders to the leading environmental organizations operating in Washington, DC to diversify their white dominated boards, staff and memberships and to work with BIPOC communities to change this situation.

After two national meetings in New Orleans 1991 & Washington, DC 92, the Environmental Justice movement was born. We had high hopes that diversity and inclusion would solve the inequities of the environmental movement and change the landscape of the social justice movement. But by 2020, and all these decades of lip service by EPA and other agencies and the "beltway environmental groups" we find not much has changed. Once again, after the Black Lives Matter movement began in earnest, the call went out, once again, for the environmental movement to diversify and become more inclusive. Once again, we find that the same "big 10 beltway groups" had not diversified, and neither had many of the other national groups.

In June, 2020, Marc Yagi, Executive Director of Waterkeeper Alliance wrote a letter to the Waterkeeper Movement calling for greater diversification of the Alliance. A Justice, Equity, Diversity and Inclusion (JEDI) committee was created to figure out how to diversify our organization further. I joined that committee and also worked to establish an Indigenous Caucus Subcommittee, which I Chair. The JEDI Committee and Indigenous Caucus have been meeting for several months now working out details for how to diversify the Waterkeeper Alliance and, especially, the Board and Council. For my part, I am hoping to increase the number of Indigenous Waterkeepers within the US and Canada, as well as Central and South America. The next step is to create an Indigenous Caucus for Central and South American Waterkeepers once that is viable.

For LEAD Agency, we are already diverse in some ways, although we too can improve. Our organization is open to everyone and we do not discriminate, however the majority of our membership appears to be Indigenous and about half our Board is Indigenous. Majority of our staff is Indigenous. Because of the mushroom factory and the poultry operations there are Hispanic and Micronesian peoples in our watershed. We have included them as much as possible in our work and even translated our writings into their languages to help them understand what we are doing to include them and to help US understand their concerns. We included both communities, for example, when we were conducting our mercury study and were doing fish consumption surveys and collecting hair samples to study for mercury. LEAD would like to continue this outreach and insure that these communities' watershed concerns are included in our work, and that they feel welcome at LEAD Agency.

LEAD Agency respects all races and cultures and hopes that everyone feels appreciated and welcome at our events, at our office and in sharing their environmental concerns with us. This is their community and we want to protect and make it safe for all of us and our children. Let us know how we can make it more open and inclusive for all.

From Your Grand Riverkeeper - Earl L. Hatley

SPEAKING OUT FOR ENVIRONMENTAL JUSTICE

FEATURING LEAD AGENCY BOARDMEMBER

ACTIVISM IN OKLAHOMA - JAMES WALKINGSTICK

As 2020 comes to a close, we are all taking time to reflect on the rollercoaster we have just endured. With a pandemic still challenging the globe, political tension galore, mysterious dis/appearing metal monoliths, water on the moon, and many more mind-rattling headlines, I think I'm not alone in hoping that 2021 will be different. Though it has been a difficult year for all of us, 2020 was host to a valuable lesson that spoke louder than most, a message that Northeast Oklahoma took time to learn from: Black Lives Matter.

The murders of George Floyd, Breonna Taylor, Ahmaud Arbery, and many more by law enforcement shook the world this year. Millions of voices ignited an international push against racism, Green Country included. As a lifelong resident of Northeast Oklahoma and as a person of color, I have seen the ironic duality our community is conflicted with. Though we pride ourselves on our unity in times of need, our hard work in times of struggle, and our state motto that "labor conquers all things," a daunting spectre stands catty-corner to our highest virtues: racism. Though hard to spot for some, this pandemic has plagued us for as long as we've been here. These once prominent "sundown towns" are now home to a more discreet, yet ever-present, threat against people of color. You can find it in the whispers of school hallways. You can find it in brief traffic stops through little towns. You can find it within your own family and in your own backyard. Stories by friends, neighbors, and teachers alone can chill you to the bone. The message that has been heard around the world, Black Lives Matter, has relevance and necessity in small-town USA. The Black and Brown people in our community matter too.

As Black Lives Matter reached a climax in the news and across social media, local youth took up the initiative to speak out against our silent spectre. Caitlynn Daniels, Daniel Plant, Destiny Bridgeman, Cyrus Crane, Samantha Frye, myself and many many others knew of the horrors that occur within our hometowns, and chose to reject the silence, starting with Grove. Joining us were several extremely powerful Black voices: Danyell Lanier, a proud veteran and Cherokee Nation citizen running for Congress; Celia Bateman, a University of Oklahoma student and poet with roots in our community; Mya Williams, a local student who was determined to speak out. With an assembly of powerful minds, we had faith in our rally.

Our demonstration brought over 150 people to the lawn of Grove City Hall, a turnout beyond our expectations. Though taunted by less than a dozen counter-demonstrators confined to parking lots and sidewalks, we persisted. We registered over 20 new voters, donated to charities, provided snacks, water, and PPE, and shared our own stories of the racism we had witnessed. One man I spoke with recanted his experience of being charged with the same crime as his best friend, in the same year by the same officer, but his friend received a lengthy jail sentence because of the color of his skin. "It's just not right," he said. We took time to listen, learn, and love deeper. One of the hundreds of signs that crowded the City Hall lawn said it best: Black Lives Matter... in Grove, Oklahoma!

After our monumental turnout in Grove, we were eager to continue; Miami was next. Our rally at Rocket Park drew hundreds of people. Churches, businesses, students, teachers, lawyers, doctors and political figures were at our side. State Senator George Young shared, "Understand that being born and raised in America, you were born into a system that has looked at people as 'better than.' From the inception of this country, it was set up that way, but they wrote those words "

We hold these truths to be self-evident that all men are created equal." We gave our microphone to Black community members, who shared their resilience, difficulties, perceptions, triumphs, and aspirations for the future. As the sun set on Miami, each and every one of us knew it was setting on a different Miami. No more sundown towns, and no more tolerance for sundown mentalities.

Our work is not over. There are still tremendous obstacles we must face in bringing racial justice. We must listen to our black and brown family, and do our part. As we look to a brighter future, we must remember that Black Lives Matter, today, tomorrow, and always. I learned vital lessons from these rallies that have helped me grow as a person, friend, activist, and ally. Take time to listen. Lend a helping hand when you can. Stand up for those around you. Stand firm for your beliefs. Be flexible. Be strong. Be the change you wish to see.



ACTIVISM IN OKLAHOMA



Comment on Cause: Red State Blue State the problem is the same! There are only 3 options for a Kid in High School. 1 Go to school be in Debt the rest of your life. 2 Go into the Military and loose your life. 3 Make Meth and be in jail the rest of your life. That's all there is today for our children. Well or should I say for our children from middle-class and poor families. Take a look around that is what we as a society have passed on to our children. That's is what we the Gen-X and you Baby Boomers too have left for them. We were too damn busy worried how we looked. Bigger house, newer car, name brand clothes, buy this buy that horde more stuff that we didn't really need just to be cool. Just to be selfish. Now we have people running around. On the Left and On the Right. Acting like the spoil children Destroying Our Nation Destroying our world. Crying 'it is not my Fault.' Let's be honest we have a problem. And the problem is us. —J. Michael Scruggs



Residents walked from their homes in the neighborhood bringing their own signs, while others were able to create theirs with supplies brought by Meredith MacQueeney.



“WHAT YOU RESIST, PERSISTS” — C. G. JUNG



OU5 Superfund Site EPA Update

As of this writing, we are not aware of a publication by the EPA of a revised or final version of the Human Health Risk Assessment (HHRA) for Operable Unit-5 of the Tar Creek Superfund Site. Operable Unit-5 (OU-5) is an investigation and feasibility study leading to a potential cleanup plan and operation for 6 watersheds in Ottawa County impacted by the Tri-State Mining District (including the Tar Creek Site). These watersheds include Elm Creek, Tar Creek, Beaver Creek, Lost Creek, Neosho River & lower Spring River.

Last Summer, LEAD encouraged and help members of the community get their comments in to the EPA during the comment period for the HHRA. A great many comments were received by the EPA from our community. Last month, LEAD's staff, and science advisor, Jim Kuipers, were on a call with EPA's OU-5 project manager to talk about the OU-5 HHRA and what next steps EPA will be taking. I will summarize this call for you, but first let me summarize, briefly, LEAD's concerns regarding the OU-5 Risk Assessment:

1. LEAD Agency believes that the RI does not reflect all the contamination found within OU-5. EPA has failed, for example, to consider the watersheds' historical floodplains as a source of potential human health exposure and the riparian areas along the streams of the study. 2. EPA has failed to consider the contaminated Boone Aquifer as a source of potential human health exposure in the HHRA. 3. EPA has not considered air a potential source of contamination at the Tar Creek Site. 4. EPA's decision to ignore numerous contamination sources within OU-5 has led to an HHRA that is un-useful as a tool for protecting human health or developing an effective cleanup plan.

In addition to these failures to protect human health and the environment directly: 5. It is time for EPA to acknowledge and remedy these systemic flaws by reassessing its conceptual site model and creating new site-wide OUs to directly address the most pernicious and persistent risks to human and environmental health.

6. The HHRA should be held in abeyance until the EPA reassesses all Tar Creek OU's and creates such additional OU's as are necessary to address sitewide human and environmental health hazards consistently excluded from treatment within individual OU's. Only after this reassessment should the EPA re-do the RI and HHRA for OU-5. 8. As part of its sitewide review, the EPA should create a new Operable Unit that includes Grand Lake and incorporate Grand Lake contamination in the OU5 RI and HHRA.

Now about that call...

First off, we were not talking to the decision maker, we were talking to a Project Manager who knows a lot about what is going on and will go on for at least the near term. So, we wanted to find out all we could. Katrina Coltrain, the Project Manager for OU-5 is a really nice, friendly person to work with and very knowledgeable. Our visit produced a lot of good information and Ms. Coltrain also helped us get set up with her counterpart in Region 7 in a better way than before, so that great. In all it was a productive call, we asked all our questions and were satisfied that we got the best answers Ms. Coltrain was able to provide.

We began by taking about whether new cleanup standards for lead or any of the other metals of concern for LEAD would be changing at the Tar Creek Site. She said there is no current plan to revise cleanup levels for OU-2 (yard removal) or OU-4 (mining area cleanup). EPA might update for cadmium and zinc, but only for row crop/cattle grazing areas. They are still evaluating whether to do so but no decision has been made. No action is anticipated within the next year. Cleanup levels remain: Lead 500 ppm, Cadmium 10 ppm, Zinc 1100 ppm. We asked whether manganese and arsenic are being tested for in the field. Not under OU-4, but they are under OU-5. We asked if these be tested for as a reference for later, at the OU-4 Site? They will look into this, but those are not remediation goals for OU4 soils, which is a limitation. *LEAD wants to gather the data for the sake of people who may use that land later.* EPA will have to get back to us on all this. Jim Kuipers, suggests confirmatory sampling to confirm that previously measured low levels remain below the levels of concern for manganese/arsenic. The concern is that remediation removes the lead, but not the arsenic. Interest is in protecting residential soils and fields; OU2, OU4, and OU5. Again, OU5 does include arsenic and manganese.

OU5 Superfund Site EPA Update con't

Conceptual Site Model: *Why doesn't CSM include groundwater. What about the Boone Aquifer?*

No remediation plan for the Boone; there is a groundwater use control in place. OWRB has strict rules for anyone drilling to the Roubidoux because they have to drill through the Boone. LEAD asked for a map showing the nature and extent of the contamination within the Boone Aquifer. We were told there may be a map that would show some of that and were told how to find it. It was produced in the early 2000's.

(I haven't found the map yet.)

Riparian/floodplain areas – considered part of upland soils. EPA says they will be using OU4 cleanup goals. Still going through the OU-4 Feasibility Study process and deciding how to address sediment, which may include some riparian/floodplain areas. This issue is coming up and will be part of the FS and site remedy approach for the watershed, OU-5, areas. *LEAD takes exception to this process. Each watershed in OU-5 should be independently studied and evaluated, not dependent on whatever outcome is determined in the mining area.*

I asked, for example, how this is done when there's no data about the riparian areas listed in the Remedial Investigation or HHRA? EPA replied it's done in the context of protecting the water and sediments (streambed?) EPA anticipates extensive remediation plan for riparian areas (listed some examples of this work). JK says that he understands using the streambed to rope in the riparian area remediation. Says that often sites wound up having to expand CSM to include groundwater.

Basically, EPA is has two separate OUs, yet when we comment on each, we find that EPA dances to the other one to justify not having an answer to our questions. Not having an answer for the lack of riparian and floodplain inclusion in OU-5, goes to OU-4 (we'll use that, were on it there). *There's not need to study air quality. Why?* The Quapaw Tribe is using air monitors (I think). Where's the data? "We'll have to ask them." So, it's not public!

LEAD did an air quality study with Harvard and found there is an air quality problem from the Site and that was before remediation started. We published the findings. Is EPA interested?

As our science advisor pointed out, if you don't address the polluted shallow aquifer (Boone) and the polluted floodplain and riparian zone, then just cleaning up the streams and source of contamination will not clean up the watersheds. Every time it floods, the

streams will be re-contaminated. Every time the groundwater is discharged into the stream, the stream will be re-contaminated. He has seen it at mine sites in the west and is helping us to insure it does not happen here. A flawed Conceptual Site Model, like ours, was how it played out at those other sites.

LEAD asked what were EPA's thoughts about extending investigations and OU allotment to areas downstream, e.g., Grand Lake? The result of the question was that EPA is not including Grand Lake in the Superfund investigation as a potential OU and

Ms. Coltrain did not know what it would take to include the lake. LEAD's assumption, at this point, is that the issue is political. Especially since GRDA is seeking re-licensing of the hydro-dam (Pensacola Dam). Under that process, LEAD is asking the licensing authority, Federal Energy Regulatory Commission (FERC) to consider ongoing pollution of lake sediments from the Tri-State-Mining-District and toxic flooding up to and including the City of Miami and surrounding communities in the re-licensing process.

LEAD is asking EPA, FERC and Army Corps of Engineers to develop an MOU that incorporates a process for dealing with the contamination and flooding issues related to Grand Lake watershed and the Tri-State-Mining District.

TIMELINES FOR NEXT STEPS/REPORTS

EPA stated in the call that a revised HHRA would be published in Dec. along with Preliminary Remediation Goal document (which will have a public comment period). Neither of these have been released yet, to our knowledge.

LEAD will let you know when these reports are published you can get your comments in and also get briefings on what we are finding in them. LEAD is getting set for more meetings with EPA officials about OU-5 and the important issues we are bringing up. We will continue the fight for Environmental Justice for our communities and watershed. Together, all of us, working together, we can make a difference for families and for our future generations and Mother Earth!

WE HAVE
BEEN
BUSY
OUR
EXPERIENCES
MAY
MOVE OTHERS
TO ACTION



ANNOUNCING THIRD YEAR VISTA

Martin Lively brought much with him when he accepted the VISTA position two years ago with LEAD. He has further developed skills and successfully written grants that have helped broaden our organizational capacity.

We are **proud** to announce he will be continuing with us and has begun his third year contract!

As the year proceeds Martin will be reporting on his various projects.

AmeriCorps

PERMACULTURE CLASS - Kelda Lorax

As one of the instructors for the Restoring and Reclaiming Indigenous Agriculture Program it was exciting to announce the certification of 18 new Permaculture Designers who completed the course funded by Native American Agriculture Fund. Planned in March, the course moved to an online format, that gave us new opportunities. We were able to see each other's homes and land, and share group thinking on all sorts of regenerative land challenges. The 10+ weeks of the program grew into a cohort of friends who will be giving tours and hosting workparties in the future! One of the attendees was *Rebecca Jim!*



This year, 24 leaders from across the continental United States, Guam, and Puerto Rico were selected for the Grassroots Accelerator for Women Environmental Leaders. Each learned skills that will scale up the impact of their critical climate and environmental justice initiatives. Sessions were held this fall virtually, with *Rebecca Jim* one of those who had been chosen this year.

<https://womensearthalliance.org/2020usaccelerator/>



QUAPAWS WIN - Grace Goodeagle

My Grandfather Francis was a boy when the Quapaws made their way from Arkansas Territory to Indian Territory in the late 1800's settling in northeast Oklahoma. As a child I remember hearing the grownups talk about concerns with the Bureau of Indian Affairs, especially with its management of our lands and years of mining activities which eventually led to the Tar Creek Superfund site.

In 2012 some Quapaw families with land interests took their issues with the U.S. Federal Government to the United States Court of Federal Claims. Goodeagle, et al. v. United States of America and Bear, et al. v. United States of America. The Quapaw Tribe itself filed a separate suit in the Court of Federal Claims. The Goodeagle, Bear and Quapaw Tribe cases were combined. In October 2019, the Goodeagle and Quapaw cases were settled for a combined total in excess of \$80-million.

On January 31, 2020 the Chief Judge of the Court of Federal Claims send Judge Wheeler's report to Congress recommending that the Bear Plaintiff's be paid \$137.5-million.

We are appreciative of everyone involved in the resolution of our actions, but they will not be final until Congress appropriates the funding to pay the recommended award in Bear.

Grace Goodeagle, Plaintiff

Elder, Former Chair of the Quapaw Tribe Business Committee
LEAD Board Member

<https://www.fourstateshomepage.com/news/quapaw-nation-settles-goodeagle-versus-united-states/>

QUAPAW NATION

LEAVE NO FOOTPRINTS

Want to use less fossil-fuel?

Try parking your car, or giving it away. Purchase a new Poseidon Redwood Gravel Bike with Front and back racks and attach a BoB trailer on the back for larger loads and go about your chores:

- Packages to UPS
- Recycling to Red Cedar
- Food at the Walmart Grocery Pickup

This might be a good time to try out a new lifestyle, save some money and get fresh air and exercise. Contact LEAD Agency for tips!



OUR COMMUNITY MEMBERS ARE FEATURED IN:

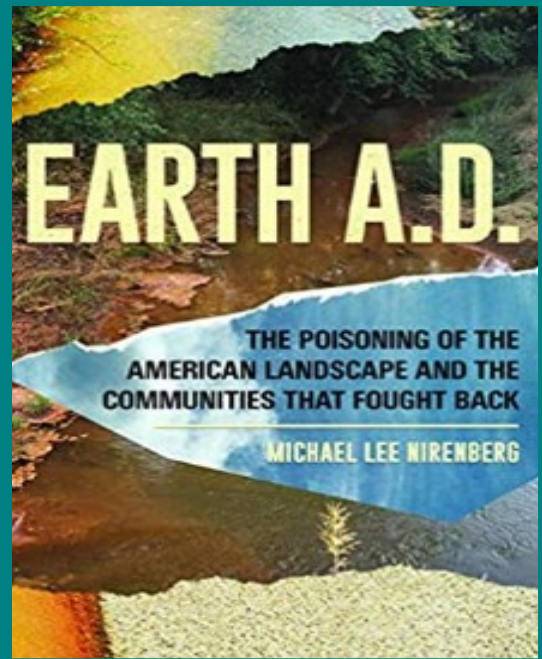
Author Michael Nirenberg has published a book with the voices of Tar Creek and those of another environmentally damaged community located near his own home in New York.

EARTH A.D. chronicles our stories through a series of interviews Michael conducted with many federal and state agency and medical professionals who had come to know us over that last four decades and many of us.

It is a remarkable way to read our own story told by people in our neighborhoods and to read the incredible efforts made by each to make this place better!

It is striking is to read the medical perspective and the layers of damage the environment will continue to have on the health of the residents who continue to live basically in the shadow of this mess.

Copies are for sale at Chapters Book Store or on-line.



OTTAWA COUNTY RESIDENTS:

GET YOUR YARD TESTED FOR LEAD AND CLEANED UP FOR FREE

[DEQ](https://www.deq.ca.gov) Hotline

1-800-522-0206

Choose goodsearch as a search engine and each search raises a penny for LEAD



LEAD'S SECOND YEAR MINI GRANT AWARDEES



LEAD Agency has received a generous donation to establish a Mimi-Grant Program. Applications for the program were posted and the following were the grants we awarded. to small non-profit grassroots organizations. Through the years we have received these type grants and it is a real privilege to be able to help groups as we have been helped.

SPRING CREEK MONITORING

Purpose: Our overarching need is to protect Spring Creek, the most pristine Ozark stream left in Oklahoma, from recent activity in the watershed that threatens both Spring Creek's water quality and quantity.



We feel Spring Creek is at a tipping point from the influx of new, mega poultry houses. Spring Creek supports over forty species of fish, including Smallmouth Bass. Seventy percent of these fish are cool water species and have strict habitat

requirements: they cannot thrive in degraded water quality or habitat.

There are issues with poultry litter in the watershed starting to make the waters nutrient-loaded (i.e., too much phosphorous) as shown by mossy gravel, an over-abundance of snails, and algae growth in some areas. It is possible that some high numbers of enterococcus we have already found could be the result of a malfunction of sewage lagoons or cattle, both of which could be corrected. Our data and GIS system will help us pinpoint problem sources since we cannot rely on our state regulators to monitor and protect our waters. \$3000 Grant was awarded to the

Spring Creek Coalition

One major issue locally is the pollution at the superfund site – Tar Creek. The goal of the project will bring in experts to assist remediation of the polluted soil and water which are two concerns related to human health from the site.

The ARISE proposed to produce plant-based research on the use of industrial hemp to pull heavy metals from contaminated soils and to repurpose local mine chat into products that can be used like hempcrete and asphalt roads.

Arise Veteran Foundation is a non-profit organization designed to create opportunities for U.S. Veterans with roots in Ottawa County.

LEAD awarded \$3000 for the project:

Veterans ARISE



PROTECTING THE BUFFALO RIVER

Securing Permanent Protection for the Buffalo National River

This project builds upon our recent success in eliminating a 2,500-head swine CAFO which threatened the Buffalo National River. By now working to secure permanent protection of the river by seeking a permanent moratorium on the issuance of permits for swine CAFOs in the watershed. Funding now will help us expand, inform and engage our supporters in preparation for the legislative session which begins in January, 2021. The session may be shortened due to pandemic concerns which means that we must be especially prepared to respond quickly when the committees take up bills relevant to the BNR, whether it be bills which we introduce or those which others may introduce which could reduce protections for the BNR. LEAD's \$3000 Grant will help this effort.



Buffalo River Watershed

THE POWER OF ONE

"One Person Can Make A Difference!"

Continuing to ensure that the work of Carrie Dickerson to stop nuclear power at Black Fox while promoting safe alternatives is remembered through a documentary, demonstrating that individuals have power to inspire a community to work together to safeguard human rights to clean air, water, and food; and the rights of nature. The time is now, for action in every arena of social and environmental justice. Our communities need access to a clean healthy environment. We also feel that too many people have no knowledge about Oklahoma's rich environmental grassroots activism and that we must keep the stories of Carrie and Karen Silkwood alive in our state's consciousness, before they fade from the collective memory. They stand as examples of women who stood up for nature and their human family in the face of tremendous odds. Never needed more than today. The more we learn, the more vital the work becomes.



LEAD proudly awarded \$3000 to assist these efforts to:

CARRIE DICKERSON FOUNDATION

"NOTHING WILL WORK UNLESS YOU DO." – MAYA ANGELOU



Oklahoma Coal Ash Storage Lawsuit Update - *Earl Hatley*

Waterkeeper Alliance, LEAD Agency, Earthjustice and Sierra Club are challenging part of a trial court ruling in the federal appeals court in Washington, DC. This is an appeal based on those parts of a case we did not win in an earlier lower court case. What we did win from that case was a ruling that liquid waste impoundments holding coal ash wastes would have to be lined with composite (synthetic) liners (not compacted soil) per the EPA's 2015 Coal Combustion Rule (CCR).

Since this ruling, on Dec. 1, 2020, ODEQ proposed new amendments to their CCR regulations that will require ALL liquid coal ash units to have composite liners by April 2022. This proposed rule was under public comment until Jan. 13, '21. This is good news!! Oklahoma is complying with the EPA federal law and the court order, rather than trying to enact contrary rules to skirt the law. This is a surprise to LEAD, given the history of Oklahoma's coal ash rules. We are grateful to the ODEQ Land Protection Division for doing this and hope that the ODEQ Solid Waste Advisory Board and ODEQ Board will approve the new rules. After that, the rules go to the legislature for final approval this Spring during the legislative session.

As for the appeal, LEAD and the other environmental groups allege that U.S. EPA failed to adopt minimum guidelines that would allow the public to be heard on coal ash permitting issues, and that EPA erred in approving Oklahoma's coal ash plan because it excludes public input on coal ash permitting decisions that affect Oklahomans for decades and grants permits that never expire (**permits for life!**). The appeal will seek to partially overturn the trial court's decision and require EPA to issue guidelines for public participation and to withdraw approval of Oklahoma's coal ash program unless and until it better protects neighbors.

Oklahoma's rule is contrary to the Resource Conservation and Recovery Act's (RCRA) public participation mandate, 42 U.S.C. § 6974(b), because the program allowed multiple significant permits for coal ash landfills to be approved without any public participation whatsoever and leaves far too much discretion to Oklahoma to continue to approve major permit modifications without opportunities for public review and input.

Finally, EPA's approval of the Oklahoma program is also unlawful because of its failure to first promulgate public participation guidelines.

Industry-wide disclosures reveal that more than 90 percent of coal ash dumps have contaminated groundwater with arsenic, cobalt, lithium, molybdenum, radium, and other toxic chemicals at concentrations exceeding safe drinking water levels after burning coal. There are currently more than 1,000 ash dumps operated by U.S. coal plants that are largely unlined and leaking their toxic contents to groundwater. Some of the largest coal ash-producing states, and the most coal-friendly, are lining up to get EPA approval for coal ash programs that will preserve the dangerous status quo. Oklahoma was the first to do so, is the test case.

This is why our suit is so important. GRDA is one of those with an ash landfill that is known to have contaminated the groundwater. ODEQ has still not issued a compliance order to bring GRDA's coal ash landfill into compliance with the law that the state passed and the EPA approved in 2018. Almost all of Oklahoma's coal ash units have been found to be contaminating the groundwater. We won our standing challenge on this appeal and are now waiting for a hearing by the court. I will keep you updated as the case progresses.



Recovery Garden

With support from Higher Ground, the country's largest advocacy group for communities harmed and threatened with flooding, LEAD's summer project was to reach out to people in all sections of the city of Miami and in the surrounding areas who have experienced high water events.

We created what we called "Recovery Gardens" which were large pots with established edible plants delivered to their homes and apartments. Those receiving the garden pots had recovered from flooding, but also those recovering from cancer and those recovering from substance abuse were given the gardens.

Several Businesses repeatedly flooded also were given Recovery Gardens. All of them also included cards with the reminder "We Flood, We Vote" and packets including masks and gloves since we had found many were having difficulty accessing these materials due to cost and lack of transportation.

Over 50 Recovery Gardens got to grow in their new homes during this project.



Higher Ground is the largest coalition of communities on the front line of climate change. LEAD Agency is a proud member of this organization and would like to introduce this document:

A Flood Survivors' Manifesto

As the impacts of global warming accumulate, the need for progressive, environmental policy grows. Nobody knows this better than the grassroots leaders who comprise Higher Ground, the largest network of flood survivors in the country. Anthropocene Alliance has worked with them to develop a manifesto aimed at stopping or reducing flooding.

- 1) Help the people who need it most;
- 2) Don't build where it floods; and
- 3) Stop the harmful practices that cause flooding: destruction of forests and wetlands, and the continued release of global greenhouse gases

Summary: PEOPLE OVER PROFIT

1. It's People, Not Expensive Properties that Need Support after a Flood
2. Flooding is Bad Enough. No More Racism
3. Communities Know Floods — Governments Should Listen

BEAT THE ODDS

4. Don't Build Where it Floods — End Corruption
5. Stop Recycling Flooded Properties
6. Disclose Flood Risk
7. Make Flood Insurance Fair

LET NATURE TAKE THE LEAD

(NOT THE ARMY CORPS OF ENGINEERS)

8. Protect or Restore Ecologies that Reduce Flooding
9. Develop Nature-Based Solutions to Lessen Flood Risk

THE CLIMATE WILL CHANGE NO MATTER WHAT WE DO, BUT WE CAN PREVENT CATASTROPHE

10. Shift to Renewable Energy and Move Vulnerable Communities out of Harm's Way.

<https://anthropocenealliance.org/manifesto>