Scenic Rivers Joint Study Committee
Oklahoma Scenic Rivers Commission Office
15971 Oklahoma Highway 10
Tahlequah, Oklahoma 74464

April 14, 2015
10:00 AM

I. Call to Order and Approval of Minutes of October 9, 2014 Regular Meeting

HAGGARD called meeting to order at 10:02

Members:

Arkansas Representatives	Oklahoma Representatives
Brian Haggard (HAGGARD)	Shellie Chard-McClary (CHARD-MCCLARY)
Marty Matlock (MATLOCK)	Shanon Phillips (PHILLIPS)
Thad Scott (SCOTT)	Derek Smithee (SMITHEE)

Contractor Ryan King (KING) present along with his team
Jamie Ewing (EWING), Arkansas Assistant Attorney General present
Clayton Eubanks (EUBANKS), Oklahoma Assistant Attorney General arrived late
See sign-in sheet for public members present which is attached to the minutes.

HAGGARD reminded everyone that this is open to the public but is not a "public" meeting. He stated that the committee has a history of being open to public comments at the end of the meeting or at appropriate time throughout the meeting agenda. He will try to keep the meeting on track especially today since there is such a large crowd present.

CHARD-MCCLARY stated that the minutes were distributed to the committee in advance of the meeting for review. There were no comments received back from the committee. Also, there are copies being passed around along with the agenda for the public.

MOTION 1: To approve minutes as presented.

Representative		Yes	No	Abstain	Absent
Shellie Chard-McClary		X			
Brian Haggard		X			
Marty Matlock				X	
Shanon Phillips	Second	X			
Thad Scott		X			
Derek Smithee	Motion	X			

Approved minutes including KING's presentation and sign in sheet will be scanned and uploaded to the website by PHILLIPS.

II. Discussion on Timing of Approval of Minutes and Posting to Web Site

SMITHEE stated that the committee has received a request to post the minutes within one month of the meeting. However, Robert's Rules state that only after the minutes are finalized are they available to the public. He asked for the committee and AG's opinion? Also, he asked how we would do that and if we could have an email vote to approve minutes.

EWING stated that Arkansas law allows the email vote to approve minutes and the posting of unapproved minutes.

MATLOCK stated that he does not want the draft to be posted without approval or at least a through vetting of the minutes by the committee. He believes that the committee should do an email vote to approve the minutes.

CHARD-MCCLARY stated that it was her understanding that the Oklahoma Attorney General stated that no vote could occur outside a public meeting.

SMITHEE stated that maybe the minutes could be emailed within 1 month to committee and then the committee meets by conference call to discuss any needed changes and vote unless Oklahoma Attorney General says that is not permissible.

MOTION 2: Minutes to be submitted to the committee within one month of the meeting, minutes reviewed, any corrections made, and a vote by email or conference call. All subject to review by the Oklahoma AG's Office.

Representative		Yes	No	Abstain	Absent
Shellie Chard-McClary		X			
Brian Haggard		X			
Marty Matlock		X			
Shanon Phillips		X			
Thad Scott	Second	X			
Derek Smithee	Motion	X			

III. Discussion of Letter to Dr. King in Response to Baylor Lariat Article

HAGGARD distributed a letter prepared by him and SMITHEE in response to the article in the Baylor Lariat (Baylor University student newspaper), the letter sent to Arkansas committee members, and response letter sent by KING

HAGGARD explained that the Baylor student newspaper wrote an article and posted it on line. The article was viewed by those in the Illinois River watershed and Mike Malone of Northwest Arkansas sent a letter voicing concerns about the integrity of the study and the appropriateness of Dr. King and Baylor University continuing the work. The letter was sent to HAGGARD, MATLOCK, and SCOTT by Mr. Malone. HAGGARD sent an electronic copy of the letter to the other committee members and to KING.

HAGGARD stated that he and SMITHEE discussed the letter and determined this item should be put on the agenda for discussion at the next meeting.

HAGGARD also stated that he and SMITHEE discussed the article and letter with KING. In response to the letter, KING sent a written reply to Mike Malone.

HAGGARD presented a proposed letter to KING, to be signed by the two co-chairs to the committee for consideration.

SMITHEE verified that the committee was OK with the co-chairs signing the letter.

COMMITTEE agreed that made sense.

MOTION 3: The two co-chairs should sign the presented letter addressed to Dr. King

Representative		Yes	No	Abstain	Absent
Shellie Chard-McClary		X			
Brian Haggard		X			
Marty Matlock	Motion	X			
Shanon Phillips	Second	X			
Thad Scott		X			
Derek Smithee		X			

HAGGARD stated that all three letters will be posted on the committee website.

HAGGARD asked if there was anyone in the public who would like to comment on action or information so far. Since there was no public input at this point, the next agenda item will be addressed.

CHARD-MCCLARY stated there was an error in numbering on agenda which will be corrected in the minutes.

IV. Report on Performance of Contract with Baylor University and Said Study Referenced in the Second Statement of Joint Principals and Actions

KING stated that he is honored to be selected to conduct this study. He will complete the study as developed and approved unanimously by the six committee members. What he will share today are the results of the data so far. The presentation will be placed on line with the other committee information.

KING stated that he will not present a lot of background information since he covered much of it at the last meeting.

KING started the presentation with a review of the "Study Framework" which summarized information from the Second Joint Principles document including that the study was “to determine the total phosphorus threshold response level…at which any statistically significant shift occurs in 1) algal species composition or 2) algal biomass production…resulting in undesirable 1) aesthetic or 2) water quality…conditions in the Designated Scenic Rivers.”

KING briefly reviewed the land use and river network that is part of the study area which spans the upper areas of Northwest Arkansas, Lee Creek, Little Lee Creek, Illinois River, Saline, Barren Fork, and Spavinaw.

KING described the 35 sample sites as large enough sample size with different land uses and wide range of total phosphorus values. There are ongoing intensive monitoring sites selected as well as other sites to fill in the gaps in order to fill in sample locations to show a gradient for the stressor response study. The study has nice gradient with selected sites.

KING discussed the sampling frequency. To date five events have been completed and one is in progress. The sampling is being completed over a two year period with 35 sites sampled every 2 months. This is the plan he proposed and the committee accepted. He did not want the study to end and the committee to think there was not adequate data to make an informed decision. There was a reconnaissance sampling trip made, five sample events are completed and there are 31 of the 35 sites completed on the sixth sample event which will be completed this week.

KING discussed the sample status report. There are more variables than just the ones presented on the slide but total phosphorus, dissolved oxygen, chlorophyll-a (sestonic and benthic), and algal biomass and species are critical. The study is also at looking carbon, nitrogen, and the phosphorus in the benthic alga itself to look at uptake rates. The study is looking at two identifications: soft algae by a Dr. Stephen Porter and Dr. Barbara Winsborough who is an expert in periphyton diatom identification. This is expensive analysis so we are trying to get at least four events. So far two have been completed. Hess sampling is an important part of the study, looking at the macro-invertebrate composition of riffle habitat. This will help identify why there are variations in algae due to the amount of the grazers, stone rollers, etc. We are doing 15 on each site and include substrate, stone roller scaring, sediment, filamentous algal cover. The study team is working hard to identify the impact diel dissolved oxygen (DO) which is 1/year event in low flow conditions, to measure DO continuously over 24-48 hours and to look at how long the levels are that rate. This is labor intensive and they have done it once and hope to do again.

MATLOCK didn't know if this was discussed at the last meeting but thought OWRB wanted Diel DO to be for 72 hours for assessment purposes.

SMITHEE stated that he (OWRB) does prefer 72 hours for assessment.

MATLOCK asked if 48 hours was OK or did we need to give guidance.

KING said that at base flow conditions there is minimal change. At low levels we may see impact. It may be better for two 24 hour sample events rather than one 48event but he will do whatever the committee prefers.

SCOTT confirmed that the data was not being used for assessment. If the idea is to use a co-variat then maybe 72 hours is not necessary.

MATLOCK stated that it was not necessary for ADEQ but wants to verify that 48 hours is acceptable to OWRB. We may not be able to determine WQS so we may need additional data.

SMITHEE stated that 48 hours is OK for this purpose. Continuous data is becoming more problematic since standards were not developed with continuous data. 48 hour sampling should be OK and he agrees with SCOTT. This is adequate data especially since other variables including daylight, cloud cover, etc. vary over a 72 hour period making sampling difficult and it is financially difficult as well.

KING stated that a 72 hour sampling event will result in a three week trip which is difficult.

MATLOCK said that SMITHEE has satisfied his question.

KING clarified that data not be excluded because it was not a 72 hour sampling event.

SMITHEE replied "No".

KING presented a disclaimer about the data that is it only preliminary, no statistical analysis has been done, and no conclusions have been drawn. It is really important to remember all this because there is a reason that this is a 2 year study for a reason.

KING presented a graph of sestonic (water column) chlorophyll-a VS total phosphorus for June 2014, August 2014, October 2014, December 2014, and February 2015. He explained that the graph was on a log scale. There are some increases but the relationships do not appear to be really strong.

KING presented a graph of the averages of the sestonic chlorophyll-aVS total phosphorus for June 2014, August 2014, October 2014, December 2014, and February 2015. Most of the algae were likely from sloughing from bottom rocks. There are two values that were high but the others were as expected.

MATLOCK stated that the phosphorus and chlorophyll-a has not tracked well. He asked if KING had an explanation.

KING said that he thinks it is residence time. Rivers have short residence times and thus tend to not result in an algal bloom.

KING presented a photograph on benthic (periphyton) chlorophyll-a. He stated that the focus was in riffles where there are gravel bars, etc. The samples were collected in a very objective manner. Chlorophyll-a was likely from filamentous algae. The photograph is probably in the lower Osage.

MATLOCK stated that it appears to be primarily Cladophora.

KING presented a graphs on benthic (periphyton) chlorophyll-a VS total phosphorus. He stated that the phosphorus was on a log scale on graph. He said that the June and August data were previously presented. The Y-axis varies in each of the graphs. The

October data is at low flow conditions. The phosphorus values are creeping toward 0.02 at the lowest phosphorus sites presumably because of low flow and high densities of small fish, primarily stonerollers.
MATLOCK said "fish poo".

KING stated that the ammonium was detectable in October whereas it had not been on previous dates, generally. Ammonium is indicative of fish excretion, supporting the idea that low water and high densities of fish drove total phosphorus up at the low P sites.

SCOTT asked if the committee and KING talked about the density of stone rollers.

KING stated that Stephen Cook will do a pilot study but the problem with density is a bias at each site. There would need to be a study to do measures of efficiencies which could easily increase the cost of this study by another $600,000. An alternative would be semi- quantitative sampling into classes such as low, medium and high densities.

KING stated that in December things began to change. The December data is on a log scale due to high levels, low reference sites. The relatively high levels of chlorophyll-a at the low phosphorus sites appears to be a natural condition here. He is leery of literature values since this system is different and something that will need to be discussed.

MATLOCK asked if there was a known driver.

KING said that it was not particularly warm; June 2014 through December 2015 had no high flow events; and algae continued to accumulate instead of washed off as it does during high flow events.

MATLOCK asked if the X- axis was the same.

KING replied "yes." He said that algae in stream will impact the phosphorus concentrations.

SCOTT asked at these levels of benthic chlorophyll-a about the sense the sample team had of what was sloughing instantaneously when a cobble is picked up.

KING said not much. The chlorophyll-a was almost black but was very healthy. They put it in a white pan and photograph and cover with water so algae will show natural pattern.

KING stated that phosphorus appears to be shifting downward.

KING said that by February 2015 extremely high values were popping up a lot. Several benthic chlorophyll-a values were above 2000 and many above 1000. At small sites and in the main stem of the Illinois River and the Illinois River at Tahlequah total phosphorus dropped all the way down to 0.01. This was an amazing low level likely due to uptake associated with the high biomass of Cladophora. The

0.01 did not result in a bloom. It is the antecedent condition resulting. We have to be careful and this why we can't do a snapshot analysis.

SCOTT stated that were is a paper out that captures this notion where the river effectively stores phosphorus and exports it in high flow conditions. This is the work of Helen Jarvey.

SMITHEE stated it is like a coral reef and how much of the variation is issue of the cycling and power of the grazer's metabolism.

KING stated that when looking at averages, the pattern makes a little more sense but that may not be how best to analyze it.

SCOTT asked KING if he were to apply error bars, where would they be.

KING said that was a tricky thing. It is an aggregate and maybe we could come up with fancy statistical ways. Looking at average over time doesn't make as much sense.

MATLOCK asked how would be the proper way to represent the variability of the blue dots if error bars are not correct.

KING said that he could add error bars. This is something we have to think about as we move forward.

KING presented graphs on total algal biovolume VS total phosphorus.

HAGGARD commented that he was very interested in the big shift in total phosphorus from June to October. There was speculation that the cause was low volume and fish excretion.

SCOTT asked if KING has looked at measurements yet.

KING said he has not but expects it to be a mixed bag.

KING presented a series of slides on nuisance filamentous green algae biovolume VS total phosphorus. The taxa included: Cladophora, Hydrodictyon, Oedegonium, and Rhizoclonium. He stated that Cladophora was the primary species.

SMITHEE asked what the percentage of Cladophora was.

KING replied that the graph looks a lot like Cladophora.

MATLOCK asked for clarification on the graph. Was the line after 40 100?

KING replied that it was 60.

KING stated that this really illustrates the importance of temporal measurements.

KING stated that the Cladophora biovolume from around Tahlequah looks remarkably similar to ones we just saw in other graphs. In October the Cladophora is starting to get finely cropped.

MATLOCK commented that Cladophora blooms like rag weed.

KING agreed.

KING presented a slide with graphs related to Calothrix biovolume VS total phosphorus and stated that this was the other dominant species. It fixes nitrogen and has a short tiny fiber which creates a matrix where other biological life will grow. It is usually brown and appeared across the entire gradient. In October there was a clean pattern of decline with increasing total phosphorus. There were similar observations in Lee Creek, Saline, Spring, Evansville and the upper Illinois River where total phosphorus is very low.

KING presented graphs on the percentage of filamentous green algal cover VS total phosphorus. He stated that they evaluated the percentage of total cover on each individual rock to determine the average percentages. The next graph shows the average cover versus average green algal cover. In some places it is dying and has lower chlorophyll-a, which leads to minor discrepancies. There is some subjectivity but it does help to validate chlorophyll–a activity. There are five to six people doing this and the level of correspondence the results shows that this is real.

KING provided photographs of Lee Creek from February 2015. This is where the lowest phosphorus levels were found. The substrate is a mix of moderate to large cobble. Individual rocks look a lot like the photographs. It is colonial green in these conditions. There were no filamentous algae at this site during this time.

KING provided photographs of Barren Fork. Here the phosphorus levels were slightly higher, 0.02 to .0.035 P. The rocks have heavier brown algae, little tufts of Cladophora on the margins. Photographs show the appearance of individual rocks and white pans with rocks and water. The short tufts of Cladophora are clearly visible. There was never a bloom at lower Barren even though there was good flow, full sun.

KING provided photographs of Illinois River at Hanging Rock taken in June 2014. There was a very short cover of Cladophora due to grazers. The algae would branch out, but due to the grazers keeping it short it was able to spread.

KING presented a slide illustrating the work of others demonstrating that grazing minnows increase benthic autotrophy and enhance response of periphyton elemental composition to experimental phosphorus additions.

KING provided photographs of Illinois River (Illi 5) low-water crossing in October and December 2014. In October all rocks were covered in thick algae and it appeared to be trimmed very short due to stone rollers and Cladophora moving in. In December there were no grazers and a lot of filamentous algae and the Cladophora was taking over.

KING provided a photograph of Illinois River at AR 59 (Illi 4) and Illinois River at Chambers Springs Road (Illi 3) from February 2015. The bottom appeared black with very dark Cladophora, it was cloudy and cold (40 degrees F air temperature) yet the pH was almost 9 due to very high rates of photosynthesis in the river. There was very high filamentous algalcover.

KING provided a photograph of Illinois River at Tahlequah (Illi 8) from February 2015. It had good flow and long thick Cladophora.

KING provided a photograph of Illinois River at Chambers Springs Road (Illi 3) from February 2015. All photographs are geo-referenced. This shows the long filamentous algae.

KING presented his last slide which was acknowledging those on the study team.

KING stated that he thinks there was a big scouring event a few weeks ago.

MATLOCK asked how KING would deal with seasonal algal blooming events, water column phenomenon, etc.

KING stated that he was not prepared to answer that right now.

SMITHEE asked about snail densities. We covered the stone roller densities already.

KING stated that he does have the data but still needs to QA/QC it. The snails were collected in the Hess samples and from rocks so they have direct relationship to the sampling event. In some areas the rocks are covered in snails. Sometimes the snails are small and there is a lot of Cladophora present. The long term average may need to be used. It is a little baffling to KING in that sometimes there is a lot while other times it is reversed. We will have the data.

HAGGARD stated that at the last meeting we discussed the movement of some of the sites.

KING stated that Evansville 1 moved downstream and looks like Barren Fork. The phosphorus levels were in the 0.01-0.015 range but may go up in summer. Illi 1 was moved down as far as we could go upstream of Prairie Grove to Savoy. There is not really a good area. There is bedrock and a cascade above the site. They were able to find a good riffle that is starting to take on characteristic of IR Cty Rd 67. There is a cascade in that area.

SMITHEE asked about the longitudinal gradient at 59 and for KING to walk through it.

KING state that Barren 1 above AR 59 was in the 0.04 to 0.05 range, Barren 2 OK 59 lower was at 0.03 to 0.035. Barren 3, Christie was 0.03 and Barren 4 Welling was 0.015. At Barren 1, the rocks had close to 100% cover of Cladophora but the algae starting to die. He thinks this is related to a temperature drop. At Barren 2 there were

patches of bright green algae and it was the same at Barren 3. He never found this condition at Barren 4. He looked at the nutrient content of the Cladophora in February. He didn't find any Cladophora at Barren 3 and 4 in February. The nutrient content tracked with stream total phosphorus concentrations.

SMITHEE stated that Barren Fork is a microcosm.

KING stated that the upper Barron riffles were not as impacted. However, the lower part of river Cladophora should be higher but it isn't. It is only in tufts so far and doesn't look healthy

HAGGARD asked if there were any comments from the public.

PUBLIC asked if the committee was expressing support for Dr. King and his study and would the letter be made available for public consumption.

HAGGARD said that the letter is being sent to KING from the committee. The letter is the result of a discussion between SMITHEE, KING and HAGGARD. It recognizes that the student newspaper article was not really accurate and all committee members and study team members understand the importance of objectivity. KING was emphatic that two years data were necessary for the study and that he must remain unbiased and scientific.

SMITHEE stated that the six committee members are committed to the study and believe KING is too. Good science is important and KING is the best person to do this work.

HAGGARD states the first slide in the presentation says it all. The study is collecting data in accordance with the Second Joint Principles.

PUBLIC asked what was meant by the earlier discussion related to a 0.01 total phosphorus and chlorophyll-a and antecedent conditions.

KING said the low values are likely low due to growth of benthic algae and the antecedent conditions allowed Cladophora to grow.

MATLOCK stated that this is why this is so hard. It is not a simple correlation. There is a lot of uncertainty.

PUBLIC asked how stream flow impacted the study when it was high and low.

KING stated that he has not looked at historical information. He has been told there were very few large runoff events recently and he will have to determine how to quantify that impact.

MATLOCK said there is no such thing as a "normal" year

SMITHEE commented that there is no such thing as average.

HAGGARD can look back historically using gaging stations to determine flow and the potential for algal sloughing.

PHILLIPS there is a lot of other sample results from this study that won't exist in past data collection efforts.

SCOTT said there is a lot of work to be done and we have to put the results into framework.

MATLOCK stated that we are running out of road.

HAGGARD said that phosphorus has been the focus but water velocity, temperature, etc. drive the relationships.

II. Discussion on Timing of Approval of Minutes and Posting to Web Site

REVISITED due to arrival of the Oklahoma Assistant Attorney General

SMITHEE summarized the discussion from earlier in the meeting regarding the request to have meeting minutes made available sooner and EWING's statement that an email vote would be OK with Arkansas.

EUBANKS stated that the Committee could make draft minutes available prior to next meeting. He said that the committee could discuss the minutes by email or telephone if they were correcting errors. He said the draft could be posted if clearly marked draft and then replaced by the final minutes after the Committee approves them.

MOTION 4: To provide minutes to the committee within one month of the meeting, committee to review and make corrections, discuss by telephone or email if necessary, post draft minutes so labeled within six weeks of the meeting with the final minutes replacing the draft after approval.

Representative		Yes	No	Abstain	Absent
Shellie Chard-McClary	Second	X			
Brian Haggard		X			
Marty Matlock		X			
Shannon Phillips		X			
Thad Scott	Motion	X			
Derek Smithee		X			

V. NEW BUSINESS

SMITHEE asked if the billing and payment system was working OK. He said from his perspective it was ok.

KING stated that it is OK.

HAGGARD said it was OK.

CHARD-MCCLARY stated that in conversations with EPA there appears to be some funding that might be available through EPA-Headquarters. This funding would be to augment the funding for the study in order to allow for additional samples to be analyzed.

MATLOCK stated that there was a formal process which was clearly lined out and the scope of work was specified. He has anxiety about changing now.

KING and HAGGARD both stated it was to analyze samples already taken and to expand the taxa identification.

MATLOCK asked what is update mechanism was with EPA.

CHARD-MCCLARY stated that when EPA was in Oklahoma doing a water program review approximately two week ago they asked about the status of the study. She stated that it was a brief update that the study was underway and that there was an upcoming meeting that would include another update from KING.

HAGGARD stated that he was doing an update in May as well.

SCOTT said perhaps the committee should include EPA in the email distribution list so they can attend.

CHARD-MCCLARY stated that she will add Bill Honker, EPA Region 6 Office of Water Director.

MATLOCK asked what would happen if we have a successful committee and we make recommendations and EPA objects to what we are doing or our recommendations.

SCOTT stated that all we can do is invite them to attend.

MATLOCK stated that he wants a formal engagement with EPA.

SMITHEE said if the group thinks EPA is important to attend we can get someone attend.

MATLOCK said at this point process really starts to matter.

SMITHEE and CHARD-MCCLARY we need to get EPA engaged now in case we have rulemaking or standards changes as a result of the study.

SMITHEE asked CHARD-MCCLARY to reach out to EPA and encourage them to attend the next meeting.

PHILLIPS stated that in the update that EPA was told that the study has collected samples, analyzed for agree upon parameters, algae bio volume, and some taxonomy identification.

MATLOCK stated that he got indication from EPA that they didn't care about this project or that there could be issues with this study.

SMITHEE, PHILLIPS, and CHARD-MCCLARY stated they did not know of any problems with EPA and were surprised to hear this.

HAGGARD asked if we wanted preliminary data analysis for next meeting or maybe we should have a discussion of types of data analysis, more of a conceptual level and not focus on watershed data yet.

MATLOCK agrees but has concerns that we might miss something by doing it that way.

HAGGARD replied that he did not think so because we will continue to have discussions like the ones we had today.

MATLOCK said we should stay the course going forward.

SCOTT suggested that at the next meeting we have an update like today and then have a discussion of how the data will be analyzed.

MATLOCK thought it was generally defined.

SMITHEE said he thought it was spelled out.

SCOTT said that we need to go back and look to verify and now is the time to look at it more closely.

PHILLIPS said that we don't need to set hard standards and that we need to make sure we don't set too stringent standards that we cannot use needed flexibility to adequately analyze the information gathered.

SMITHEE asked KING if he thought changes should be proposed to any of the existing sample sites or if they were still the correct sites.

KING replied yes the sites were appropriate.

SCOTT stated that we will have a full meeting in order to address everything at our next meeting.

SMITHEE stated that he and HAGGARD had discussions about parallel research including poultry litter, land use, climate change, etc. He said he is nervous about some of that and doesn’t want this study to be negatively impacted. He thinks it would be best for USGS to delay a study so it didn't impact this study. Even with different parameters, timelines, etc. perception is reality.

HAGGARD stated that the purpose of this study is to inform the committee. There will be supplemental research that is out of the control of committee. He said that

anything involving this committee and funding has to be clearly related to the study at hand.

MATLOCK said that he thinks we all support open inquiry and analysis but it has to be separate from this study. We have to focus on our business.

HAGGARD asked if there were any additional comments from the committee.

HAGGARD asked if there were any comments from the public at this point.

PUBLIC asked if the committee or study team has compared stream flow over the last 50 years.

HAGGARD stated that there seems to be more low intensity rainfall instead of high intensity rainfall events but we need to go back and look at that the actual data at the five or six USGS gages in the area.

PUBLIC stated that this is an area that is highly charged. The committee will need to develop a communication strategy that would parallel this study for the general public, students, legislators, etc. Everyone needs to be able to talk about this study and what it means in all sorts of public venues.

MATLOCK asked if this might be an area where the EPA funding could be used.

PUBLIC asked about the role of EPA in this study effort. They didn't really think EPA has a role. Additionally, the question of what the Oklahoma committee representatives discussed with EPA was raised.

HAGGARD replied that for EPA it is about awareness.

SMITHEE stated that every year EPA Region 6 comes to meet with water management team in Oklahoma. This includes Water Quality Standards, monitoring NPDES program, PWS program, etc. They asked what was going on and we told them.

CHARD-MCCLARY stated that all water programs were discussed and that this committee's efforts were 5 minutes out of about 8 hours of discussions.

PHILLIPS said that if they had given us advance notice we would have talked to committee in advance and would have given EPA more information.

SMITHEE added that it is important to make EPA aware of how the committee is progressing because if study results in a Phosphorus number that is higher or lower than the agreed upon range, OWRB will have rule making actions that require EPA approval.

EUBANKS stated that the Governors and Attorneys General did not include EPA in the study process purposefully. The committee should be careful and limit EPA's

involvement to only what they have legal authority to do. EPA has no official involvement in this process.

CHARD-MCCLARY stated that EPA has the legal requirement to review state determined Water Quality Standards and either approve or deny them. We cannot get around that part of the federal law.

EUBANKS agreed that Standards approval was EPA's role if the committee determined that based on the study a different number was appropriate. He also said that EPA can provide additional funding to complete work that is within the scope of the study.

SCOTT stated that he agreed EPA should be aware of the process and how the committee is progressing but they have no vote or say in the matter.

SMITHEE stated that as much as he loves the idea of a communication strategy, at the end of the day this is not really a document for the public but rather we are charged to deliver report to our "boss" who in this case is the two Attorneys General and Governors.

MATLOCK agreed that from a process stand point that is correct. However, it is important to get the word out. We would have to vet any communication strategy through the committee.

SMITHEE said that he agrees and the end of the day we have to be able to say that a fair and reasonable scientific process was used.

MATLOCK said that partners can help get the message out.

SMITHEE said we can talk about this. However, this is different from our normal work in that we work directly for AGs and Governors rather than our agencies and universities.

HAGGARD asked the committee and KING to review schedules and a date of October 2, 2015 was selected.

SMITHEE asked for suggestions for the location of the next meeting and Tulsa, Oklahoma was selected. The meeting time was set for 10:00. The exact location will be identified, filed and posted.

HAGGARD asked if there was any other business before the meeting adjourned.

VI. Adjournment

MOTION 5: To adjourn meeting

Representative		Yes	No	Abstain	Absent
Shellie Chard-McClary		X			
Brian Haggard		X			

Marty Matlock		X			
Shannon Phillips		X			
Thad Scott	Second	X			
Derek Smithee	Motion	X			

Meeting adjourned at 12:18 pm

VII. Informal Dinner with Baylor Study Team
SMITHEE asked Ed Fite to announce the time and place for the BBQ dinner.

Ed Fite stated that the committee, study team and any interested public should meet around 5:30 at Payton Place in the bunk house behind the office due to the rain instead of at the outdoor site at the river.

VIII. Informal Float Trip April 15, 2016
SMITHEE stated that all those that planned to participate in the float trip on April 15 should see Ed Fite after the meeting so he could get a head count.

Ed Brocksmith announced that lunch was available just outside the main door.