

Mission: to unite as citizens and actively engage in the preservation of the Spring Creek Watershed

Please contact SCC to be removed from or added to this mailing list

Peggs, Oklahoma 74452

P.O. Box 217

Spring Creek Coalition

Spring Creek Watershed Landowners Fall 2009 Newsletter



THE MOST PRISTINE
LARGE OZARK STREAM
IN OKLAHOMA
MANAGED AND
PROTECTED BY
PRIVATE
LANDOWNERS

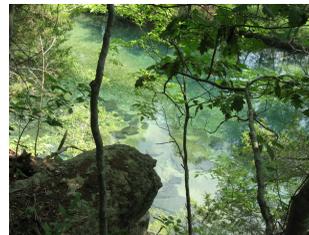
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Strength in Numbers

The Spring Creek Coalition (SCC) functions as a “watershed community”. SCC organized in 1994. In true democratic fashion, we continue to evolve. A bounty of resources contributes to our success! That bounty is each and every one of you, when you offer your time, perspective, and talent. What we share is a deep caring for our creek.

Our goal is to be a clearing-house for the exchange of information about the Spring Creek of Mayes, Delaware & Cherokee counties. We study water quality and quantity, timber, wildlife, pollution, and how landowners are adapting to preserve their heritage. Information is shared between scientists, state & local representatives, farmers, ranchers, educators, students and hunters, as well as numerous other knowledgeable and caring people.



Looking down into the beautiful, clear water near Peggs

SCC is managed by concerned community members. If you are interested in joining our monthly meetings, please call (918) 637-1449. We host a website, this newsletter, and group activities ranging from trash

pickup to high-profile forums. The current SCC committee is focused on a mutual understanding and respect for:

- The water quality of Spring Creek.
- Consideration of each other as neighbors.
- Active engagement in keeping Spring Creek healthy and pristine.

Fly Ash Used for Road Maintenance at Twin Bridges



Piles of fly ash deposited for road repair at Twin Bridges

Landowners at Twin Bridges filed a formal complaint with the Oklahoma Department of Environmental Quality (DEQ) in May 2009 after piles of fly ash were used to rebuild the approach to the bridge that was washed out in heavy rains.

The DEQ responded with a letter to the Mayes County Commissioner asking that he discontinue the use of fly ash for any road work not meeting DEQ policy. The DEQ letter reads: *“It is the policy of this agency that coal combustion byproducts, such as fly ash, not be used as road surfacing material. Fly ash cannot be used on a stream bank or anywhere it could be carried into the water of the state.”* The DEQ also took water samples upstream, at the bridge and downstream and concluded that *“although the sampling did not confirm an immediate impact on the stream, repeated use of fly ash in this manner could adversely affect the stream.”*

SCC found through web research that fly ash is being touted as an environmentally friendly way to dispose of what otherwise could be a big environmental hazard, AS LONG AS it is used as an ingredient in wet concrete and not simply dumped dry on a road. There is at least one case being litigated about the environmental hazard of using fly ash.

SCC will continue to monitor this situation.

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.” -- Margaret Mead

Oklahoma, Where the Floods Come Sweeping Down the Plains

Many are calling the heavy rains that fell in early May the 100-year flood. What is unusual is that this was our third or fourth significant flood in the last several years!



The creek nearly reaching Rocky Ford Road near Oaks

This year's flood caused Spring Creek to increase from an average flood stage of 4 feet to over 16

feet in a few hours according to the U.S. Corp of Engineers stream gage on Highway 82. Real-time stream and lake gages can be accessed on <http://www.swt-wc.usace.army.mil> or link directly to the Spring Creek gage from our webpage, <http://www.springcreekok.org> in the Science section. Local reports varied from 7 to 16 inches of rainfall over the watershed. A total of 35 rescues and 1 death were reported in Mayes County alone.

Can you expect to be compensated for damages by the government? Not likely, primarily because these counties were not declared a disaster area. However, there may be some grants or reduced loan rates available particular to your circumstances. More information can be found by calling 1-800-FARMAID (1-800-327-6243) or researching a newly re-

vised [Farmers' Guide to Disaster Assistance](#), written by the Farmers' Legal Action Group. Feel free to contact SCC for ordering information.

Spring Creek—Recreation or Trespassing?

Every summer we receive numerous phone calls asking for public access to Spring Creek. The creek is almost entirely owned by private landowners, with the exception of Rocky Ford State Park, located near the small town of Oaks. There is at least one pay access site, appropriately named "Littlefield's" (for the property owner) and is located near Cave Springs Bridge. Whereas there has been some talk of Twin Bridges being made a pay access site, it is and always has been private property.



Fishing in the creek near Peggs

According to the district attorney for the 12th District, although landowners do not own the water flowing over the land, they do have the same rights and ownership to submerged lands as they have to land surrounding or adjoining the streambed. For example, they have the right to eject or

take other actions against trespassers, that is, anyone who makes contact with the streambed or adjacent land. Visit our webpage for the district attorney's legal opinion at:

http://springcreekok.org/landowner_rights.

Any landowners interested in allowing private parties to access the creek should please let SCC know, and we will pass the information along.

Oklahoma Comprehensive Water Plan in Progress

The Water Research Institute (WRI) is currently working to develop a strategic guide for managing the state's water resources over the next 50 years. In 2006, the state legislature directed the Oklahoma Water Resources Board (OWRB) to update the state's comprehensive water plan.

The update, which began in January 2007, includes in-depth technical studies and for the first time substantial public input. Technical studies for the water plan are taking place at the same time as the public participation portion. This five-phase process is centered on citizen involvement. It builds upon a base of broad public input and then uses citizen work groups to develop suggestions for better managing the water resources of our state. During 2007, 42 local input meetings were held to gather citizens' ideas, concerns, questions, and suggestions about water resource management in Oklahoma. In 2008, 368 citizens were invited to help WRI determine which of the issues raised in the local meetings should continue to be discussed in the planning process.

Development of management strategies is the purpose of the three planning workshops

scheduled for 2009. In the spring of 2010, the Oklahoma Academy for State Goals will conduct a special Town Hall meeting in which 150 Oklahoma citizens will determine which management strategies should be included in the water plan. In the final phase of the public participation process, 11 meetings will be held across the state to gather responses to the draft water plan. The final plan, written by the OWRB, is scheduled to be presented in 2011 to the legislature and governor.

For more information, or to learn how to participate, visit the WRI website at <http://okwaterplan.info> or call (405) 744-9994.

CHECK OUT OUR NEW WEBSITE!

Check out the new and improved SCC website. Updated features include:

- New science page, including Spring Creek birds, fish, macroinvertebrates, and link to real-time stream gauge on Highway 82 bridge
- Current and historical landmark issues involving Spring Creek
- List of current groups and agencies supporting SCC
- Findings on Spring Creek water quality

Check us out on the web at <http://springcreekok.org>.