

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

November 13, 2007

9:30 a.m.

3800 N. Classen Boulevard
Oklahoma City, OK 73118

A copy of this notice of meeting and agenda has been posted in a prominent location at the offices of the Oklahoma Water Resources Board, 3800 North Classen Blvd., Oklahoma City, Oklahoma, on November 6, 2007 at 3:30 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov. Revised items are indicated by “•” and italics.

- 01000 1. CALL TO ORDER** **Chairman Mark Nichols**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the October 9, 2007, Regular Meeting.
 - D. Executive Director's Report. **Mr. Duane Smith**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Consenting to Amendment of Collateral Securing Loan for Lawton Water Authority, Comanche County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Resolution Expressing Official Intent to Reimburse Costs of Loans for Clean Water SRF Projects. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Resolution Expressing Official Intent to Reimburse Costs of Loans for Drinking Water SRF Projects. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS

Chairman Nichols

Any item listed under this Summary Disposition Agenda may, at the request of any member of the Board, the Board's staff, or any other person attending this meeting, be transferred to the Special Consideration Agenda. Under the Special Consideration Agenda, separate discussion and vote or other action may be taken on any items already listed under that agenda or items transferred to that agenda from this Summary Disposition Agenda.

- A. Requests to Transfer Items From Summary Disposition Agenda to the Special Consideration Agenda, and Action on Whether to Transfer Such Items.
- B. Discussion, Questions, and Responses Pertaining to Any Items Remaining on Summary Disposition Agenda and Action on Items and Approval of Items 3. C through 3. O.
- C. Consideration of Approval of the Following Application for REAP Grant in Accordance with the Proposed Order Approving the Grant:

REAP			Amount
<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>Recommended</u>
None			

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
 - 1. Renewal Agreement with IDK Investors, LLC for renewal of lease for OWRB Oklahoma City office located at 3800 North Classen Blvd.
 - 2. Interagency Agreement with the Oklahoma Department of Agriculture, Food and Forestry for the purpose of collecting groundwater samples at monitoring wells of licensed managed feeding operations (LMFOs) and providing statistical review of the analyzed data from LMFO samples.
 - 3. Grant Contract with The Kerr Foundation, Inc. for assistance in updating the Oklahoma Water Atlas.
 - 4. Grant Contract with The Kerr Foundation, Inc. for Support of the Governor's Water Conference.
- E. Applications for Temporary Permits to Use Groundwater:
 - 1. Woodruff G. L. & L. D. Family L.L.C., Washita County, #2006-546
 - 2. F. D. Boyer & Patricia Boyer Loving Trusts, McClain County, #2007-542
 - 3. Roger Mills RWS & SWM District No. 2, Roger Mills County, #2007-550

- F. Applications to Amend Temporary Permits to Use Groundwater:
 1. Lavonne Kroeker, Major County, #1999-586
- G. Applications for Regular Permits to Use Groundwater:
 None
- H. Applications to Amend Regular Permits to Use Groundwater:
 None
- I. Applications for Regular Permits to Use Stream Water:
 1. Arcadia Farm, L.L.C., Oklahoma County, #2007-028
 2. The White Family Trust, Bryan County, #2007-036
- J. Applications to Amend Regular Permits to Use Stream Water:
 None
- K. Applications for Term Permits to Use Stream Water:
 None
- L. Well Driller and Pump Installer Licensing:
 1. New Licenses, Accompanying Operator Certificates and Activities:
 a. Shaddon Laverty, DPC-0717
 b. Teets Drilling, DPC-0725
 2. New Operators, Activities for Existing Licenses:
 a. Lewis Environmental Drilling, Inc., DPC-0388
 • *b. Cherokee America Drilling, DPC-0060 Item added*
- M. Dam and Reservoir Plans and Specifications:
 1. Pete Kourtis, CABO Development, L.L.C., Rogers County, #DS-07-02
 2. Oklahoma Centennial Botanical Garden, Osage County, #DS-07-04
- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
 1. Oklahoma Department of Transportation, Oklahoma County, #FP-07-34
 2. Oklahoma Department of Transportation, Oklahoma County, #FP-07-35
 3. Oklahoma Department of Transportation, Oklahoma County, #FP-07-39
 • 4. *Oklahoma Department of Transportation, Comanche County, #FP-07-42
 Item added*
 5. Oklahoma Department of Transportation, Grady County, #FP-07-44
 6. Oklahoma Department of Transportation, Logan County, #FP-07-46
- O. Applications for Accreditation of Floodplain Administrators:
 Names of floodplain administrators to be accredited and their associated communities are individually set out in the November 13, 2007 packet of Board materials

04000 4. QUESTIONS AND DISCUSSION ABOUT AGENCY WORK AND OTHER ITEMS OF INTEREST.

- A. Update Report on Oklahoma Comprehensive Water Plan Activities. **Mr. Dave Dillon**
- B. Update on Oklahoma Water Resources Board's 2008-2012 Strategic Plan.
Ms. JaNeal Beougher
- C. Summary and Discussion of FY 2009 Budget Request. **Mr. Monte Boyce**

05000 5. SPECIAL CONSIDERATION Chairman Nichols

For INDIVIDUAL PROCEEDINGS, a majority of a quorum of Board members, in a recorded vote, may call for closed deliberations for the purpose of engaging in formal deliberations leading to an intermediate or final decision in an individual proceeding under the legal authority of the Oklahoma Open Meeting Act, 25 O.S. 2001, Section 307 (B)(8) and the Administrative Procedures Act, 75 O.S. 2001, Section 309 and following.

A majority vote of a quorum of Board members present, in a recorded vote, may authorize an executive session for the purposes of CONFIDENTIAL COMMUNICATIONS between the public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct the pending investigation, litigation, or proceeding in the public interest, under the legal authority of the Oklahoma Open Meetings Act, 25 O.S. 2001, Section 307(B)(4).

- A. Application for Regular Permit to Use Groundwater No. 2007-517, City of Konawa, Seminole County:
 - 1. Summary – **Ms. Lou Klaver**
 - 2. Discussion and presentation by parties
 - 3. Possible executive session
 - (a) Vote on whether to enter executive session
 - (b) If executive session approved, designation of person to keep minutes
 - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
 - 4. Vote on whether to approve the proposed order as presented or as may be amended, or vote on any other action or decision relating to the proposed order
- B. Consideration of Items Transferred from Summary Disposition Agenda, if any.

06000 6. PRESENTATION OF AGENCY BUDGET REPORT Mr. Monte Boyce

07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY
Chairman Nichols

8. Discussion of 2008 Rulemaking Process and Possible Amendments and Proposed New Rules. Mr. Keeley, Chair, Board Committee on Water Policy/Rules, and Mr. Duane Smith

9. PROPOSED EXECUTIVE SESSION **Chairman Nichols**

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(4) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest.

Pursuant to this provision, the Board proposes to hold an executive session for the purpose of discussing the Tarrant Regional Water District v. Herrmann

- A. Vote on whether to hold Executive Session - before it can be held, the Executive Session must be authorized by a majority vote of a quorum of members present and such vote must be recorded.
- B. Designation of person to keep written minutes of Executive Session, if authorized.
- C. Executive Session, if authorized.

10. VOTE(S) ON POSSIBLE ACTION(S), IF ANY, RELATING TO MATTERS DISCUSSED IN EXECUTIVE SESSION IF AUTHORIZED.

Return to open meeting and possible vote or action on any matter discussed in the Executive Session.

11. NEW BUSINESS **Chairman Nichols**

Under the Open Meeting Act, this agenda item is authorized only for matters not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda.

12. ADJOURNMENT

Chairman Nichols

The next regular meeting of the Oklahoma Water Resources Board will be held on Tuesday, December 11, 2007, at 9:30 a.m. in the Board Room of the Oklahoma Water Resources Board offices, Oklahoma City, Oklahoma.

11/06/2007