

**OKLAHOMA WATER RESOURCES BOARD
OFFICIAL MINUTES
October 9, 2007**

1. Call to Order

The regular monthly meeting of the Oklahoma Water Resources Board was called to order by Chairman Mark Nichols at 9:30 a.m., on October 9, 2007, in the meeting room of the Oklahoma Water Resources Board, at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma. The meeting was conducted pursuant to the Oklahoma Open Meeting Law with due and proper notice provided pursuant to Sections 303 and 311 thereof. The agenda was posted on October 2, 2007, at 5:45 p.m. at the Oklahoma Water Resources Board's offices.

A. Invocation

Chairman Nichols asked Mr. Ed Fite to provide the invocation.

B. Roll Call

Board Members Present

Mark Nichols, Chairman
Rudy Herrmann, Vice Chairman
Ford Drummond, Secretary
Ed Fite
Jack Keeley
Kenneth Knowles
Linda Lambert
Richard Sevenoaks

Board Members Absent

Lonnie Farmer

Staff Members Present

Duane A. Smith, Executive Director
Dean Couch, General Counsel
Mike Melton, Chief, Administrative Services Division
Joe Freeman, Chief, Financial Assistance Division
Monte Boyce, Comptroller
Lou Klaver, Chief, Planning and Management Division
Derek Smithee, Chief, Water Quality Programs Division
Mary Lane Schooley, Executive Secretary

Others Present

Alan Dobrovlny, Garfield Rural Water District #5, Bison, OK
Pat Stinson, Johnston county Rural Water Sewer and Solid Waste Management District #4, Wapanucka, OK
Regina Clinton, Bryan County Rural Water District #2, Mead, OK
Jeanie Norman, Town of Langley, OK
Laura Holden Town of Langley, OK
Jim Barnett, Kerr Irvine Rhodes Ables, Oklahoma City, OK
Bud Ground, Public Service Company of Oklahoma, Oklahoma City, OK
Mark Schlachtenhaufen, Capitol Network News, Oklahoma City, OK
Angie Burckhalter, Oklahoma Independent Petroleum Association, Oklahoma City, OK
Charlie Swinton, Bancfirst, Oklahoma City, OK
Trevor Hammons, Office of the Attorney General, Oklahoma City, OK
Jack Yoter, City of Tishomingo, OK
Josh McClintock, McClintock Associates, Oklahoma City, OK
Jeff Packham, Journal Record, Oklahoma City, OK
Lawrence Edmison, Sierra Club, Oklahoma City, OK
Cheryl Dorrance, Oklahoma Municipal League, Oklahoma City, OK

C. APPROVAL OF MINUTES

Chairman Nichols stated the draft minutes of the September 11, 2007, Regular Meeting have been distributed. He stated he would accept a motion to approve the minutes unless there were changes. Mr. Fite moved to approve the minutes of the September 11, 2007, Regular Meeting, and Mr. Herrmann seconded.

AYE: Herrmann, Knowles, Sevenoaks, Drummond, Fite, Lambert, Keeley, Nichols
NAY: None
ABSTAIN: None
ABSENT: Farmer

D. EXECUTIVE DIRECTOR'S REPORT

Mr. Duane Smith, Executive Director, addressed the members and audience, and said the Governor's Water Conference is coming up, Mike Melton has done a great job organizing the event and there is a great line up of speakers. He said this year the conference is being held in conjunction with the Oklahoma Water Resources Research Institute's annual water symposium technical sessions. Ms. Noel Osborn is a featured speaker on the Arbuckle-Simpson hydrology study; Scott Christenson with the USGS will be presenting along with information on the Arbuckle. It is also the Board's 50th Birthday party at the banquet with Lt. Governor Askins, former Governors Nigh and Walters speaking, former OWRB Directors, former employees, water pioneers and others. He encouraged everyone to attend.

The OWRB Rules Committee met and one of the ideas that came from that meetings is that at the end of each Board meeting the members will take time to talk about specific rules in regard to detail and philosophy behind the rules. Invited guests may come, and the discussions

are open to the public. The committee sees the discussion as an opportunity to discuss in a philosophical sense about whether the rules are where they need to be and moving in the right direction, and will be very helpful from an educational standpoint, as well as helpful to staff. He added the public hearing this year will be at a Board meeting. He said that has not been done before, and the Board will be the hearing examiner during the process this year and allow the public to interact directly with the Board as the policy maker. This has come about because of a court case with the Department of Wildlife where not all the members were provided comments that were received, so this will not only comply with that law, but also allow the Board to hear each comment in the context that it is given.

Mr. Smith distributed an article to the members from The Water Report regarding interstate allocations of water, and nutrient numeric endpoints, or developing nutrient criterions.

The Legislative Interim Studies have begun and last week Mr. Smith attended a committee meeting on CAFO setbacks, and he spoke on the OWRB's requirements on a swine facility for a three-mile setback from a recreation site. The Department of Agriculture has different responsibilities for swine facilities versus other facilities. He said the pork industry wants to change the setback so they are in line with dairy and cattle and other types of operations.

Representative DeWitt also has an interim study meeting on the consolidation of the OWRB and DEQ on October 18, and he has said that the OWRB is for good government, but would be opposed to anything that would de-emphasize the importance of water.

The Academy for State Goals is meeting at Quartz Mountain, subject is, "Oklahoma's Second Century: Building Bridges and Alliances with Tribal Government, State and Local Governments, and Private Sector." Mr. Smith will attend.

Mr. Smith concluded his report. Mr. Drummond asked if there is an update on the WRDA status, and Mr. Smith said the measure passed the Senate and the President has ten days once it is presented to him and the clock is running so he expected a veto from the President that then would send the measure back for a possible override. He said Senator Inhofe was optimistic about an override. Chairman Nichols added he had met with Senator Inhofe recently in Washington, D.C., and he was very confident of an override. He said the President has a problem understanding the difference in passing this bill and the actual funding of the process. The appropriations process will begin in January, and there will not be any funding for the Water Plan until this time next year at the earliest. Mr. Smith said that as soon as that passes, he would be working hard and fast to move toward obtaining funding.

2. FINANCIAL ASSISTANCE DIVISION

A. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Tishomingo Municipal Authority, Johnston County. Recommended for Approval. Mr. Joe Freeman, Chief, Financial Assistance Division, stated to the members that this item is an emergency grant request from the Tishomingo Municipal Authority, and is requesting \$65,000.00 for water system improvements. He said the Authority is under a consent order from the Oklahoma Department of Environmental Quality for chronic low water pressure problems. To correct the problems, they will be laying over 2,000 feet of 8-inch water line, 150 feet of 16-inch casing, and relocating a pressure valve. It is estimated the project will cost approximately

\$110,200.00, and will be funded with the OWRB grant along with \$45,200.00 in local funds. Staff recommended approval.

Mr. Jack Gates, City Manager, was present in support of the grant application.

Mr. Fite moved to approve the emergency grant application to the Tishomingo Municipal Authority, and Mr. Drummond seconded.

AYE: Herrmann, Knowles, Sevenoaks, Drummond, Fite, Lambert, Keeley, Nichols

NAY: None

ABSTAIN: None

ABSENT: Farmer

B. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Rural Water and Sewer District #2, Bryan County. Recommended for Approval.

Mr. Freeman stated this request is a \$55,000.00 grant request from Bryan County RWSD #2. The District provides water service to a large portion of the population in the northwest part of the county. He said the District's main water source is the Blue River, where a fixed intake structure water is pumped for storage to Eagle Lake before treatment. When the streamflow declines, the fixed structure is unable to intake water to be pumped to the holding reservoir. To correct the situation, the District is installing a full depth intake structure with new pump; larger piping and replacing an existing pump station. In addition, the District will be rehabilitating a water storage standpipe. Mr. Freeman said the total project cost is \$635,000.00 to be funded with the grant requested of the Board, along with \$580,000.00 in local funds and cash funds. Staff recommended approval.

Ms. Regina Clinton, District Manager, was present in support of the application.

Mr. Drummond moved to approve the grant request to the Bryan County RWSD #2, and Ms. Lambert seconded.

AYE: Herrmann, Knowles, Sevenoaks, Drummond, Fite, Lambert, Keeley, Nichols

NAY: None

ABSTAIN: None

ABSENT: Farmer

C. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Rural Water and Sewer District #5, Garfield County.

Mr. Freeman said this request for an emergency grant in the amount of \$100,000.00 by the Garfield County RDSW #5 is the result of a consent order issued by the DEQ because of existing wells being contaminated with nitrates. The District will be drilling two new wells for its water source, and installing 13,900 feet of water lines to connect the wells to the existing water system. The project has an estimated cost of \$560,000.00, funded by the \$55,000 OWRB grant, \$160,000.00 in local funds, \$99,999.00 REAP grant and a \$200,000.00 FAP loan from the OWRB which has been previously approved. Staff recommended approval.

Mr. Alan Dobrovoly, District Board member, and Mr. Glen Byrd, engineer, were present in support of the grant request.

Mr. Herrmann asked the source of the nitrates and Mr. Byrd said it is believed to be an old dairy. Mr. Drummond asked about the previously approved loans and grant; Mr. Freeman

said staff usually brings the funding package to the Board, which was done in this case, but while the District was looking for additional funding, costs increased.

Mr. Knowles moved to approve the emergency grant to Garfield RWSD #5, and Mr. Drummond seconded.

AYE: Herrmann, Knowles, Sevenoaks, Drummond, Fite, Lambert, Keeley, Nichols
NAY: None
ABSTAIN: None
ABSENT: Farmer

D. Consideration of and Possible Action on a Proposed Order Approving Loan for Langley Public Works Authority, Mayes County. Recommended for Approval. Mr. Freeman stated that this loan application is from the Langley Public Works Authority in Mayes County and is requesting a \$1,785,000.00 loan for the construction of a two-cell wet weather flow equalization basin, to replace sludge pumps and aerator drums. In addition, loan proceeds will be used for refinancing the communities six Rural Development loans. The loan will be funded with \$1,650,000.00 in bond proceeds from the OWRB 2007 FAP Bond issue, and \$135,000.00 in FAP cash funds. Mr. Freeman noted provisions of the loan agreement. Langley's water connections have increased by 25% over the last ten years and sewer connections have increased by 17% over the same time period. The debt coverage stands at approximately 1.75-times, and it is estimated the Authority will save approximately \$500,000.00 in interest expense by borrowing from the Board. Staff recommended approval.

Ms. Jeanie Norman was present in support of the loan application.

Mr. Fite moved to approve the loan to the Langley Public Works Authority, and Mr. Herrmann seconded.

AYE: Herrmann, Knowles, Sevenoaks, Drummond, Fite, Lambert, Keeley, Nichols
NAY: None
ABSTAIN: None
ABSENT: Farmer

E. Consideration of and Possible Action on a Proposed Order Approving Loan for Calera Public Works Authority, Bryan County. Recommended for Approval. Mr. Freeman said this item is for the consideration of a \$2,016,707.04 loan request from the Calera Public Works Authority. They are requesting the loan to construct a new wastewater treatment plant, a lift station, force main, sequential batch reactor, and to refinance an interim loan. Mr. Freeman said the loan will be funded through the OWRB Clean Water State Revolving Fund Loan program; and he noted provisions of the loan agreement. Calera has been a loan customer of the Board's since 1992, and with the addition of the requested loan, the debt coverage ratio stands at approximately 1.3-times. It is estimated the Authority will save approximately \$505,000.00 in interest expense by borrowing from the Board. Staff recommended approval.

There were no representatives in attendance.

Mr. Herrmann moved to approve the loan to the Calera Public Works Authority, and Ms. Lambert seconded.

AYE: Herrmann, Knowles, Sevenoaks, Drummond, Fite, Lambert, Keeley, Nichols

NAY: None
ABSTAIN: None
ABSENT: Farmer

F. Consideration of and Possible Action on a Proposed Order Approving Loan for Ponca City Utility Authority, Kay County. Recommended for Approval. Mr. Freeman said that Ponca City is requesting a \$5,565,000.00 loan through the Clean Water State Revolving Fund loan program. The DEQ has issued a consent order to the Authority regarding unpermitted discharges. In accordance with the consent order, Ponca City needs to make repairs to its collection system to prevent future unpermitted discharges. In order to correct the problem, the Authority proposes to replace sewer collector lines in various sections of the city and will be laying approximately 1,400 feet of 8-inch sewer line, 2,000 feet of 12-inch sewer line, 2,500 feet of 15-inch sewer line, and 5,000 feet of 24-inch interceptor line. Mr. Freeman noted provisions of the loan agreement. Ponca City has been a long-time, excellent loan customer of the Board's and the debt coverage ratio stands at approximately 2.84-times. It is estimated the Authority will save approximately \$1.3 million in interest expense by borrowing from the Board.

Mr. Keith McDonald, financial advisor, was present in support of the loan application.

Mr. Herrmann moved to approve the Clean Water SRF loan to the Ponca City Utility Authority, and Mr. Drummond seconded.

AYE: Herrmann, Knowles, Sevenoaks, Drummond, Fite, Lambert, Keeley, Nichols

NAY: None

ABSTAIN: None

ABSENT: Farmer

3. SUMMARY DISPOSITION AGENDA ITEMS

Any item listed under this Summary Disposition Agenda may, at the requested of any member of the Board, the Board's staff, or any other person attending this meeting, may 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.

There were no requests to transfer items to the Summary Disposition Agenda. However, Ms. Klaver requested that under agenda item 3.N., Permit Applications for Proposed Development on State Owned Property, permit numbers FP-07-34, FP-07-35, and FP-07-39 be withdrawn from the Board's consideration. She said these applications involve the I-40 development and Oklahoma City has requested an opportunity to provide comment.

Mr. Freeman introduced Mr. Pat Stinson who was in attendance to support the Board's approval on item 3.C.1., REAP grant to Johnston County RWSSWMD #4.

Mr. Sevenoaks asked about item D.2., contract with Daniel Gamino. Mr. Smith answered Mr. Gamino specializes in personnel actions.

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.N.

There being no further questions or discussion regarding items on the Summary Disposition Agenda, Chairman Nichols asked for a motion.

Mr. Drummond moved to approve the Summary Disposition Agenda as amended, and Mr. Herrmann seconded.

AYE: Herrmann, Knowles, Sevenoaks, Drummond, Fite, Lambert, Keeley,
Nichols
NAY: None
ABSTAIN: Fite on item I.2.
ABSENT: Farmer

The following items were approved:

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>County</u>	<u>Recommended</u>
SODA				
1.	FAP-06-0020-R	Rural Water, Sewer & Solid Waste Management District #4	Johnston	\$99,900.00

D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:

1. Professional Services Engagement Letter with Crawford & Associates, P.C. to provide accounting services related to the Board's financial assistance programs.
2. Contract for Consulting Services with Daniel J. Gamino to provide various legal services for the Board.
3. Joint Funding Agreement with the U.S. Geological Survey for the continuation of the project "Streamflow monitoring of seven streamflow sites and one lake site in the Upper Washita River Basin"
4. Agreement between OWRB and Office of the Secretary of the Environment for the Clean Water Act FY 07/08 §604(b) Water Quality Management Planning Program.

E. Applications for Temporary Permits to Use Groundwater:

1. City of Bristow, Creek County, #2006-590
2. Mahota Stamper, Roger Mills County, #2007-515
3. City of Oklahoma City, Oklahoma County, #2007-543

F. Applications to Amend Temporary Permits to Use Groundwater:

None

- G. Applications for Regular Permits to Use Groundwater:
 - 1. Jackson County Water Company, Jackson County, #2007-519
- 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. Illinois Farms, Inc., Adair County, #2007-033
 - 3. John & Barbara Synar, Sequoyah County, #2007-037
- 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. SKT Construction, L.L.C., DPC-0719
 - b. B & L Water Well, DPC-0721
 - c. Dobbs Water Well Service, DPC-0723
 - 2. New Operators, Activities for Existing Licenses:
 - a. Wes's Water Well Service, DPC-0581
- M. Dam and Reservoir Plans and Specifications:
 - None
- 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 withdrawn*
 - 2. *Oklahoma Department of Transportation, Oklahoma County, #FP-07-35 withdrawn*
 - 3. Oklahoma Department of Transportation, Kay County, #FP-07-36
 - 4. Oklahoma Department of Transportation, Kay County, #FP-07-37
 - 5. Oklahoma Department of Transportation, Seminole County, #FP-07-38
 - 6. *Oklahoma Department of Transportation, Oklahoma County, #FP-07-39 withdrawn*
 - 7. Oklahoma Department of Transportation, Grady County, #FP-07-40.

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

- A. Update on Comprehensive Water Plan Activities. Mr. Dave Dillon, Director of Planning, addressed the members and said that since the last Board meeting there have been six local public input meetings, and since the beginning of the process, there have been a total of over

1,500 comments which can be accessed on line, at www.okwaterplan.info. He described the meeting held recently in Sallisaw, and said there are only nine meetings remaining in the process, the last meeting being held in Idabel on November 15. On the technical side, Mr. Dillon said funding from the COE had been received to plan the technical studies for the next four years and there have been a number of meetings with the lead consulting engineer, CDM, and a program/outline is being developed to present to the technical partners over the course of the next 30 days, and wrap up by mid-December. He said there would be a subcommittee of the Board that will follow the planning process which will also be presented the program outline of proposed studies and budget and then develop recommendations on projects according to the funding available.

Mr. Dillon introduced Mr. Kyle Arthur who has recently joined the Board and the OWCP effort and will be working with Mr. Dillon and Ms. Terry Sparks.

Ms. Lambert asked, in regard to comments received, what is the common thread? Mr. Dillon said the transfer of water for public water supply is an issue, and also moving water out of state. Mr. Smith added that part of the issue on water transfer concerns conjunctive use, for example comments at the Beaver meeting concerned managing the groundwater so there is enough streamwater to transfer to Oklahoma City to fill swimming pools. He said it would be important to educate the public so that it is understood the water management plan is to benefit everyone. Mr. Dillon said some of the other more prominent comments regard the environment, conservation, rural water district concerns, and upstream flood control issues.

Mr. Herrmann asked how the comments would be used once the public meetings have concluded. Mr. Dillon answered the next level is intended to conduct regional meetings, one in each of the substate planning districts, where the comments specific to the counties of that district will be reviewed by persons who have been nominated, and will then prioritize which of those issues that need to be addressed. There will then be Planning Work Groups, organized by subject area that will review the prioritized issues. The regional meetings will occur next spring and summer. Chairman Nichols asked about nominations being made, and Mr. Dillon said it was envisioned there is a need for about 330 people, and to date 180 nominations have been received. He added that most of the preparation will be done by the OWRRI, but it is not anticipated the regional meetings will take a lot of time. Chairman Nichols said that prioritizing the comments, though, is a very important step.

Mr. Herrmann said that in reviewing comments from the meetings, there are clear examples of misinformation, misinterpretation, misunderstanding, and he asked if those areas are going to be cleared up for those persons who review the information at the regional meetings? Mr. Dillon responded that part of the reason it will take awhile to get to the regional meetings is to clean up some of those issues, and so on the “flip side” of the technical group will be an expert advisory panel that will review the comments and answer some of the issues that have been presented regarding the regions so that when the regional meeting is conducted, there will already have been a response.

Mr. Smith complimented Mr. Arthur and his uniqueness to the program, and Mr. Dillon concluded his report.

B. An Update on Oklahoma Water Resources Board Lakes Work through Water Quality Programs Division. Mr. Derek Smithee, Chief, Water Quality Programs Division, said that one of the programs that is often appreciated and under the “radar screen” is lakes work. The WQPD has three sections that operate within the water quality framework, standards, monitoring and

lakes and special studies. Lakes are a vital resource where a lot of time and energy is spent monitoring not only for the state, but also for municipalities and governmental agencies. Mr. Smithee introduced Mr. Paul Koenig, Section Head for Lakes and Special Studies Section. Mr. Koenig and his staff, Bonnie Crissman, Jody Cason, Nicole Kohmescher, and Owen Mills who spoke to the members regarding their particular disciplines in lake management studies using a PowerPoint Presentation and visual aides of the actual equipment used. The presentation included information on activities conducted by the section on lakes across the state. Specific topics addressed in the presentation included Oklahoma's participation in the Survey of the Nation's Lakes, how samples are collected, bathymetric mapping of lakes, monitoring for various parameters for beneficial use monitoring, recreation management practices regarding algae, restoration of bank erosion and water quality enhancement, and ongoing projects and partners. Mr. Koenig said the program goals realize the mission of the Board, which is to manage, protect, and enhance the state's water resources. At the conclusion of the presentation, Mr. Koenig mentioned ongoing work regarding Lake Wister and the feasibility to restore dissolved oxygen.

There were questions by Board members throughout the presentation.

5. SPECIAL CONSIDERATION

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. Consideration of Items Transferred from the Summary Disposition Agenda, if any. There were no items transferred from the Summary Disposition Agenda for discussion.

6. PRESENTATION OF AGENCY BUDGET REPORT.

Mr. Monte Boyce addressed the members and presented the budget-to-actual report for September 2007. He said one-quarter of the fiscal year has been completed, 64% of the budget has been expended and obligated, and 31% of the budget has been collected. Final figures for FY 2007 carryover is approximately \$8,300; \$900 is for the Office of the Secretary of Environment, and \$7400 for additional work to be conducted by the Oklahoma Rural Water Association. Mr. Boyce concluded his report; there were no questions by members.

7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY

A. Contracts and Agreements Recommended for Approval.

1. Consideration of Settlement Agreement with the State Auditor and Inspector to facilitate payment to the State Auditor and Inspector for their completion of the performance audit of the OWRB.

Mr. Dean Couch stated the process for payment provided for provisions under which the audit was conducted needs to be set up through the Office of State Finance. With a new fiscal year in place, this provision needs to be in place in order for the OSF to release those funds for payment to the State Auditor and Inspector. Mr. Smith said the audit cost was \$30,000.00.

Mr. Herrmann asked which fiscal year funding the payment would be made from. Mr. Boyce responded it would be from this fiscal year (2008), and it will be included as a budget request item for replacement through an operational funding change.

2. Consideration of Agreement with the Office of the Secretary of the Environment for the Clean Water Act FY 07 §104(b)(3) Wetlands Program CA# CD-966618-01.

3. Consideration of Agreement with the Office of the Secretary of the Environment for Oklahoma's FY 08/09 §106 Water Pollution Control Monitoring Program.

Mr. Couch said items 2. and 3. are matters that just became available after the regular agenda was prepared and posted.

Mr. Fite moved to approve the Supplemental Agenda items, and Mr. Keeley seconded.

AYE: Herrmann, Knowles, Sevenoaks, Drummond, Fite, Lambert, Keeley,
Nichols

NAY: None

ABSTAIN: None

ABSENT: Farmer

8. NEW BUSINESS

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.

There were no New Business items for the Board's consideration.

9. RECESS AND RELOCATION FOR SYMPOSIUM AND CONFERENCE

A quorum of members of the Oklahoma Water Resources Board may attend the Oklahoma Water Resources Research Institute's 5th Annual Water Research Symposium in conjunction with the 28th Annual Governor's Water Conference on October 23-25, 2007, to be held at the Cox Convention Center, Robinson and Sheridan Avenues, Oklahoma City, Oklahoma. However, no discussion of any business by a quorum and no action will be taken by the Board members at these events.

Mr. Couch said this statement is on the agenda to comply with the Open Meeting Act. Mr. Fite asked about whether a quorum of members may attend the OCWP local input meeting at Idabel. Mr. Couch answered that after November 1, the Open Meeting Law is amended and there can be informal gatherings with the continued admonition that no discussion and no action take place without it being on a properly posted agenda.

Chairman Nichols recessed the regular meeting of the Oklahoma Water Resources Board at 11:10 a.m. on Tuesday, October 9, 2007.

10. ADJOURNMENT

Chairman Nichols adjourned the meeting at 11:00 a.m. on October 25, 2007, at the conclusion of the 28th Annual Governor's Water Conference.

OKLAHOMA WATER RESOURCES BOARD

_____/s/_____
Jess Mark Nichols, Chairman

_____/s/_____
Rudolf J. Herrmann, Vice Chairman

_____/s/_____
Lonnie Farmer

_____/s/_____
Edward H. Fite

_____/Absent_____
Jack W. Keeley

_____/s/_____
Kenneth K. Knowles

_____/s/_____
Linda Lambert

_____/Absent_____
Richard Sevenoaks

ATTEST:

_____/s/_____
F. Ford Drummond, Secretary
(SEAL)