

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

February 8, 2011

9:30 a.m.

Oklahoma Water Resources Board
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 January 31, 2011 at 4:45 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 Rudy Herrmann**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the January 11, 2011, Regular Meeting.
 - D. Executive Director's Report. **Mr. J.D. Strong**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Inola Public Works Authority, Rogers County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Geary Utilities Authority, Blaine County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Bixby Public Works Authority, Tulsa County. Recommended for Approval.

- D. Consideration of and Possible Action on Selection of Bond Counsel in Connection with the Issuance of One or More Obligations to Provide Funding for the State Loan Program.
- E. Consideration of and Possible Action on Selection of an Investment Banker(s) in Connection with the Issuance of One or More Obligations to Provide Funding for the State Loan Program.
- F. Consideration of and Possible Action on a Proposed Resolution Authorizing the Reallocation of Revolving Fund Revenue Bonds, Series 2004 Proceeds. Recommended for Approval.
- G. Resolution Authorizing the Issuance of One or More Series of Oklahoma Water Resources Board Revolving Fund Revenue Bonds, Series 2011 (Master Trust) in the Aggregate Principal Amount Not to Exceed \$285,000,000 for the Purpose of Financing Either or Both of Each of Wastewater Projects Described Under the Clean Water Act and Water Treatment Projects Under the Drinking Water Act, with the Aggregate Principal Amount for Such Wastewater Projects Not to Exceed \$135,000,000, and with the Aggregate Principal Amount for Such Water Treatment Projects Not to Exceed \$150,000,000; Approving and Authorizing Execution of a Bond Indenture or Indentures Providing for the Issuance of the Bonds; Providing for the Sale and Delivery of the Bonds and Authorizing a Certificate of Determination; Waiving Competitive Bidding on the Bonds and Authorizing the Sale Thereof by Negotiation Pursuant to the Terms of a Contract of Purchase Pertaining Thereto; Approving a Preliminary Official Statement with Respect to the Bonds; Authorizing Execution of Such Other and Further Instruments, Certificates and Documents as may be Required for the Issuance of the Bonds; Directing Payment of Costs of Issuance and Containing other Provisions Relating to the Issuance of the Bonds. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS

Chairman Herrmann

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 Possible Action on Items 3. C through 3.O., Recommended for Approval.

C. Financial Assistance Division Items:

1. Rural Economic Action Plan (REAP) Grant Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
COEDD				
a.	FAP-10-0009-R	Rural Water District #2	Hughes	\$ 99,999.00
EODD				
b.	FAP-10-0004-R	Vian Public Works Authority	Sequoyah	99,999.00
GGEDA				
c.	FAP-04-0025-R	Rural Water, Sewer, Gas & Solid Waste Management District #11	Delaware	99,990.00

2. Consideration of and Possible Action on FY 2012 Proposal for Use of the Statewide Water Development Revolving Fund.

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

1. Contract with the Oklahoma Ground Water Association to provide continuing education classes to well drillers and pump installers licensed by the OWRB.

2. Cooperative Agreement with the Oklahoma Department of Wildlife for printing Oklahoma Boating Access Water Atlas.

E. Applications for Temporary Permits to Use Groundwater:

1. Turkey Trak Ranch, L.L.C., Osage County, #2010-542
2. Robert L. & Vickie B. Whitener, Grady County, #2010-550
3. Deer Creek Water Corporation, Oklahoma County, #2010-564

F. Applications to Amend Temporary Permits to Use Groundwater:

1. 3-J Farms, Inc., Cimarron County, #1993-616A
2. Caddo County RWS & SWMD No. 3, Comanche County, #1999-563

G. Applications for Regular Permits to Use Groundwater:

1. Payne County RWD #4, Creek County, #2010-553
2. Mark Witt & Neal Hofferber, Texas County, #2010-558
3. Mark Witt & Neal Hofferber, Texas County, #2010-559
4. Dwain Towner, Texas County, #2010-566
5. Dominique Lehr, Texas County, #2010-569

H. Applications to Amend Regular Permits to Use Groundwater:

None

- I. Applications to Amend Prior Rights to Use Groundwater:
 - 1. CRI Feeders of Guymon, L.L.C., Texas County, #1962-049

- J. Forfeiture (Defaults) of Stream Water Rights:
 - 1. Frank LeGrand, Payne County, #1970-146
 - 2. Rudy Wayne Simunek, Kay County, #1971-189
 - 3. Oak Tree Properties, Oklahoma County, #1973-321
 - 4. APAC-Oklahoma, Inc., Tulsa County, #2001-019
 - 5. Clayton Collins, Rogers County, #1990-002
 - 6. M/M Jock N. Worley & M/M Don Carlton, Adair County, #1995-022
 - 7. Blue Valley Nursery, Inc., Cherokee County, #1984-005

- K. Forfeitures (Reductions) of Stream Water Rights:
 - 1. Charles W. & Mildred L. Sisler, Tulsa County, #2000-005

- L. Well Driller and Pump Installer Licensing:
 - None

- M. Dam and Reservoir Construction:
 - None

- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
 - 1. ODOT, Cleveland County, #FP-10-22
 - 2. ODOT, Pottawatomie and Pontotoc Counties, #FP-10-24
 - 3. ODOT, Lincoln County, #FP-10-25
 - 4. ODOT, Lincoln County, #FP-10-26
 - 5. ODOT, Lincoln County, #FP-10-27

- O. Applications for Accreditation of Floodplain Administrators:
 - Names of floodplain administrators to be accredited and their associated communities are individually set out in the February 8, 2011 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. Kyle Arthur**

05000 5. SPECIAL CONSIDERATION

Chairman Herrmann

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); Proposed Findings, Conclusions and Order are Recommended for Approval in the following matters:

- A. No items.
- B. Items transferred from Summary Disposition Agenda, if any.

06000 6. AGENCY BUDGET REPORT

Ms. Amanda Storck

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

**8. CONSIDERATION OF AND POSSIBLE ACTION ON ADOPTION OF
PROPOSED AMENDMENTS TO PERMANENT RULES**

- A. Proposed Amendments to Chapter 35 - Well Driller and Pump Installer Licensing
 - 1. Summary of final draft proposed rules - **Ms. Julie Cunningham**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.
- B. Proposed Amendments to Chapter 45 – Oklahoma’s Water Quality Standards
 - 1. Summary of final draft proposed rules - **Mr. Derek Smithee**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.

- C. Proposed Amendments to Chapter 46 – Implementation of Oklahoma’s Water Quality Standards
 - 1. Summary of final draft proposed rules - **Mr. Derek Smithee**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.

- D. Proposed Amendments to Chapter 50 – Financial Assistance
 - 1. Summary of final draft proposed rules - **Mr. Joe Freeman**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.

9. NEW BUSINESS **Chairman Herrmann**

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.

10. ADJOURNMENT **Chairman Herrmann**

"Water Day at the Capitol" will be held on Wednesday, March 9, 2011, on the 4th Floor Rotunda from 9:00 a.m. - 2:00 p.m.

The next meeting of the Oklahoma Water Resources Board will be on Wednesday, March 9, 2011, at 1:30 p.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK.

1/31/2011