

**REVISED AGENDA
OKLAHOMA WATER RESOURCES BOARD**

**February 10, 2004
9:30 a.m.**

OWRB Board Room
3800 Classen Boulevard
Oklahoma City, Oklahoma

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, on February 3, 2004, at 4:45 p.m. A copy of this agenda is available on the OWRB website at www.owrb.state.ok.us. Revised items are indicated by “•” and italics.

- 01000 1. CALL TO ORDER** **CHAIRMAN GRANDSTAFF**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the January 13, 2004 Regular Meeting.
 - D. Executive Director's Report. **Mr. Duane Smith**
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- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Loan for Tyrone Public Works Authority, Texas County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Loan for Rural Water District #2, Mayes County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Loan for Tulsa Metropolitan Utility Authority, Tulsa County. Recommended for Approval.
 - D. Consideration of and Possible Action on a Proposed Order Approving Loan for Tulsa Metropolitan Utility Authority, Tulsa County. Recommended for Approval.

- E. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Funds for Tulsa Metropolitan Utility Authority, Tulsa County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS CHAIRMAN GRANDSTAFF

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. N.
- C. ***Consideration of Approval in Accordance with the Following Proposed Orders and Proposal: Applications for REAP Grants; and Statewide Water Development Revolving Fund Proposal. Recommended for Approval (language added):***

<u>REAP</u> <u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
COEDD				
1.	FAP-03-0017-R	Rural Water District #5	Pawnee	\$68,000.00
KEDDO				
2.	FAP-98-0017-R	Rattan Public Works Authority	Pushmataha	100,000.00
SODA				
3.	FAP-03-0018-R	Hendrix-Kemp Rural Water District #9	Bryan	99,999.00
• 4.	<i>Consideration of and Possible Action on FY 2005 Proposal for Use of the Statewide Water Development Revolving Fund. Item added</i>			

- D. Contract and Agreements Recommended for Approval
 - 1. Consideration of Contract for Services with the Oklahoma Department of Public Safety for Traffic Control.
 - 2. Consideration of Contract with Renaissance Convention Center for Convention Space and Guest Rooms for 2004 Governor's Water Conference or Approval of Resolution Authorizing Chairman or Vice-Chairman to Execute Contract.

- **3. *Consideration of Intergovernmental Agreement with the Oklahoma Department of Agriculture, Food and Forestry (Agriculture Department) for water study and rural development initiative involving a poultry litter burning pilot project to reduce degradation of water quality in Wister Reservoir. Item Added***

E. Applications for Temporary Permits to Use Groundwater:

1. Davis Glenn Estates Water Utility, Logan County, #2003-502
2. Oil City Associates, LLC, Stephens County, #2003-515
3. Kay County RWD #6, Grant County, #2003-563
4. John & Sheryl Winn, Custer County, #2003-600

F. Applications to Amend Temporary Permits to Use Groundwater:
None

G. Applications for Regular Permits to Use Groundwater:

1. Ernest E. & Marsha A. Barnes, Texas County, #2003-584

H. Applications to Amend Regular Permits to Use Groundwater:
None

I. Applications to Amend Prior Rights to Use Groundwater:
None

J. Applications for Regular Permits to Use Stream Water:

1. Fox Lake Homeowners Association, Oklahoma County, #1997-005
2. Wolf Creek Estates, Homeowners Association, Canadian County, #2003-033

K. Applications to Amend Regular Permits to Use Stream Water:
None

L. Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: Joe Teague Drilling DPC-0203
Operator: Joe Teague OP-0312
Activities: Groundwater wells, test holes and observation wells
 - b. Licensee: Knutson Irrigation Design, LLC DPC-0670
Operator: Ken Chohon OP-1381
Activities: Pump installation
 - c. Licensee: Houck Drilling and Pump Services DPC-0672
(1) Operator: Gary Houck OP-1387
Activities: Groundwater wells, test holes and observation wells
Pump installation
 - (2) Operator: Eric L. Houck OP-1388
Activities: Pump installation
 - d. Licensee: Oklahoma Department of Agriculture Food & Forest DPC-9001
Operator: Dr. G.A. (Jim) Shirazi OP-1386
Activities: Monitoring wells and geotechnical borings
2. New Operators and/or Activities for Existing Licenses:
 - a. Licensee: Cherokee America Drilling DPC-0060
Operator: Kevin Bryan Wilkie OP-1377

- Activities: Monitoring wells and geotechnical borings
Pump installation
- b. Licensee: Tackett Drilling DPC-0196
- (1) Operator: Paul Tackett OP-1389
- Activities: Groundwater wells, test holes and observation wells
Pump installation
- (2) Operator: Chris Tackett OP-1390
- Activities: Groundwater wells, test holes and observations wells
Pump installation
- c. Licensee: Davis Environmental Drilling, LLC DPC-0197
- Operator: Larry Nottingham OP-0919
- Activities: Pump installation
- d. Licensee: Fire & Ice DPC-0432
- Operator: Barry W. Martin OP-1382
- Activities: Heat exchange wells
- e. Licensee: TWF Drilling, LLC DPC-0623
- (1) Operator: Brent Todd Wages OP-1384
- Activities: Monitoring wells and geotechnical borings
- (2) Operator: Edwin Wilson OP-1385
- Activities: Monitoring wells and geotechnical borings

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 Tourism and Recreation Department, Cherokee County, FP-03-18

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

Presentation of Draft Proposed New Permanent Rules and Amendments to Current Rules of the Board – (Scheduled for consideration and action at March 9, 2004 Board meeting):

- A. Background and Summary of Public Participation – **Duane Smith**
- B. Proposed Amendments to Chapter 25 –Dams and Reservoirs
 1. Summary of final draft proposed rules – **Mike Mathis**
 2. Questions and Discussion by Board Members
 3. Comments by Public
- C. Proposed Amendments to Chapter 30 – Taking and Use of Groundwater
 1. Summary of final draft proposed rules – **Mike Mathis**
 2. Questions and Discussion by Board Members
 3. Comments by Public

- D. Proposed Amendments to Chapter 35 – Well Drillers and Pump Installers Licensing
 - 1. Summary of final draft proposed rules – **Mike Mathis**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public

05000 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 Summary Disposition Agenda, if any.

06000 6. PRESENTATION OF AGENCY BUDGET REPORT **Mr. Jim Schuelein**

07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY

8. PRESENTATION OF FINAL DRAFT PROPOSED NEW PERMANENT RULES AND AMENDMENTS TO CURRENT RULES OF THE BOARD

- A. Proposed Amendments to Chapter 45 – Oklahoma’s Water Quality Standards
 - 1. Summary of final draft proposed rules – **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.

- B. Proposed Amendments to Chapter 46– Implementation of Oklahoma’s Water Quality Standards
 - 1. Summary of final draft proposed rules – **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.

9. 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.

10. ADJOURNMENT

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, March 9, 2004, at 9:30 a.m., in Oklahoma City, Oklahoma.

The Board's Ad Hoc Finance Committee will meet immediately following the Board meeting today (February 10, 2004).