DR A F T A G E N D A

OKLAHOMA WATER RESOURCES BOARD

January 8, 2008
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_____at _____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 November 13, 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 Approving Emergency Grant for Vian Public Works Authority, Sequoyah County. Recommended for Approval.

B. Consideration of and Possible Action on a Proposed Order Approving Loan for Bethany Public Works Authority, Oklahoma County. Recommended for Approval.

C. Consideration of and Possible Action on a Proposed Order Approving Loan for Pauls Valley Municipal Authority, Garvin County. Recommended for Approval.

D. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Funds for Hobart Public Works Authority, Kiowa County. Recommended for Approval.

E. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Tuttle Public Works Authority, Grady County. 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 Applications for REAP Grants in Accordance with the Proposed Orders Approving the Grants:

REAP Item No.	Application No.	Entity Name	County	Amount Recommended
ASCOG				
1.	FAP-07-0027-R	Rural Water District #4	Stephens	$79,999.00
2.	FAP-07-0037-R	Alex Municipal Authority	Grady	99,800.00
EODD				
3.	FAP-02-0044-R	Okay Public Works Authority	Wagoner	99,000.00
INCOG				
4.	FAP-06-0044-R	Burbank Public Works Authority	Osage	99,980.00
KEDDO				
5.	FAP-07-0026-R	Millerton Public Works Authority	McCurtain	79,999.00
6.	FAP-07-0028-R	Crowder Public Works Authority	Pittsburg	99,999.00
SODA				
7.	FAP-06-0037-R	Bromide Public Works Authority	Johnston	99,900.00
SWODA				
8.	FAP-04-0059-R	Rural Water, Sewer, Gas & Solid Waste Management District #2	Beckham	99,850.00

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

1. Lease Agreement with Four-Way Resources, LLC for OWRB McAlester office to reflect change in Lessor and change in square footage of space leased.

2. Interagency Agreement between OWRB and Grand River Dam Authority to conduct hydrographic surveys of Grand Lake, W.R. Holway Reservoir, and Ft. Gibson Lake. In addition to survey work, dependable yield calculations will be made for Grand Lake, Lake Hudson/Holway and Ft. Gibson.

3. Agreement Amendment for the Clean Water Act FY 07/08 §604(b) Water Quality Management Planning Program CA# C6-400000-07 between the OWRB and the Office of the Secretary of the Environment to reflect an increase in Federal funding.

4. Planning Assistance to States Supplemental Agreement No. 1 for the Oklahoma Comprehensive Water Plan between the United States of America and OWRB to extend the study period and increase the total study cost of the original Letter Agreement entered into on June 19th, 2007.

E. Applications for Temporary Permits to Use Groundwater:

1. None

F. Applications to Amend Temporary Permits to Use Groundwater:

1. Geary M. & Mary Ann Campbell, Washita County, #1974-053
2. Norman Utilities Authority, Cleveland County, #1998-502

G. Applications for Regular Permits to Use Groundwater:

1. Natalee June Smith, Harper County, #2006-565
2. Natalee June Smith, Harper County, #2006-566
3. City of Guymon, Texas County, #2007-541
4. Oaklake Trails Naturist Park, Inc., Creek County, #2007-551
5. Ronnie J. & Sharon M. Glover, Comanche County, #2007-560
6. The Whiting Oil & Gas Corporation, Texas County, #2007-563

H. Applications to Amend Regular Permits to Use Groundwater:

1. Jeff & Ronnie J. Glover, Comanche County, #1980-603A
2. Quinlan Community RWD No. 1, Woodward County, #1990-520
3. Hitch Pork Producers, Inc., Texas County, #1993-580

I. Applications for Regular Permits to Use Stream Water:

1. Burk Royalty Co., Caddo County, #2006-041
2. James Morrill, Delaware County, #2007-013
3. Roy T. & Rebecca Oliver, McClain County, #2007-035
4. James H. & Beulah D. Dawson, McIntosh County, #2007-039
5. Mount Pecan Ranch, Inc., Okmulgee County, #2007-041

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. Able Environmental Drilling, L.L.C., DPC-0746
2. New Operators, Activities for Existing Licenses:
   a. Grubbs, Hoskyn, Barton & Wyatt, Inc., DPC-0353
   b. Giles Environmental Services, Inc., DPC-0596
   c. Panhandle Area Sales & Service, DPC-0635
   d. Martin's Well Service, DPC-0669

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, Kay County, #FP-07-41
2. Oklahoma Department of Transportation, Pontotoc County, #FP-07-43
3. Oklahoma Department of Transportation, Logan County, #FP-07-45
4. Oklahoma Department of Transportation, Mayes County, #FP-07-48
5. Oklahoma Department of Transportation, Creek County, #FP-07-49
6. Oklahoma Department of Transportation, Carter County, #FP-07-50
7. Oklahoma Department of Transportation, Carter County, #FP-07-51

O. Applications for Accreditation of Floodplain Administrators:
Names of floodplain administrators to be accredited and their associated communities are individually set out in the January 8, 2008 packet of Board materials.

P. Application for Acquisition of Assets of Rural Water District:
1. Application by Southern Oklahoma Water Corporation to Acquire Assets of Milo-Woodford Rural Water, Sewer, Gas and Solid Waste Management District in Carter County, Oklahoma.

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 and Dr. Will Focht**

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 Temporary Permit to Use Groundwater No. 2006-615, Joe Anderson Property Management Company, L.L.C., Canadian County:
   1. Summary – **Mr. Dave Dillon**
   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. PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO PERMANENT RULES

Following discussion of the 2008 rulemaking process, the Board will conduct the public hearings, by chapter, to receive oral and written comments on the proposals. The proposals are not scheduled for action by the Board at this meeting. Consideration of adoption of the proposals to amend the rules as presented or as may be revised is scheduled for the February 12, Board meeting.

A. Proposed Amendments to Chapter 1 - Organization and Procedures
   1. Highlights and Summary of draft proposed rules - **Duane Smith**
   2. Questions and Discussion by Board Members
   3. Public Hearing to Receive Oral and Written Comments by Public

B. Proposed Amendments to Chapter 4 – Rules of Practice and Hearings
   1. Highlights and Summary of draft proposed rules – **Duane Smith**
   2. Questions and Discussion by Board Members
   3. Public Hearing to Receive Oral and Written Comments by Public

C. Proposed Amendments to Chapter 5 – Fees
   1. Highlights and Summary of draft proposed rules – **Duane Smith**
   2. Questions and Discussion by Board Members
   3. Public Hearing to Receive Oral and Written Comments by Public

D. Proposed Amendments to Chapter 20 – Appropriation and Use of Stream Water
   1. Highlights and Summary of draft proposed rules – **Dave Dillon**
   2. Questions and Discussion by Board Members
   3. Public Hearing to Receive Oral and Written Comments by Public

E. Proposed Amendments to Chapter 25 – Dams and Reservoirs
   1. Highlights and Summary of draft proposed rules – **Dave Dillon**
   2. Questions and Discussion by Board Members
   3. Public Hearing to Receive Oral and Written Comments by Public

F. Proposed Amendments to Chapter 30 – Taking and Use of Groundwater
   1. Highlights and Summary of draft proposed rules – **Dave Dillon**
   2. Questions and Discussion by Board Members
   3. Public Hearing to Receive Oral and Written Comments by Public

G. Proposed Amendments to Chapter 35 – Well Driller and Pump Installer Licensing
   1. Highlights and Summary of draft proposed rules – **Dave Dillon**
   2. Questions and Discussion by Board Members
   3. Public Hearing to Receive Oral and Written Comments by Public

H. Proposed Amendments to Chapter 45 – Water Quality Standards
   1. Highlights and Summary of final draft proposed rules – **Derek Smithee**
   2. Questions and Discussion by Board Members
   3. Public Hearing to Receive Oral and Written Comments by Public

I. Proposed Amendments to Chapter 46 – Water Quality Standards Implementation
   1. Highlights and Summary of final draft proposed rules – **Derek Smithee**
   2. Questions and Discussion by Board Members
   3. Public Hearing to Receive Oral and Written Comments by Public

J. Proposed Amendments to Chapter 50 – Financial Assistance

1. Highlights and Summary of final draft proposed rules – **Joe Freeman**
2. Questions and Discussion by Board Members
3. Public Hearing to Receive Oral and Written Comments by Public

K. Proposed Amendments to Chapter 55 – Development on State Owned of Operated Property Within Floodplains.

1. Highlights and Summary of draft proposed rules – **Dave Dillon**
2. Questions and Discussion by Board Members
3. Public Hearing to Receive Oral and Written Comments by Public

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, February 12, 2008, at 9:30 a.m. in the Board Room of the Oklahoma Water Resources Board offices, Oklahoma City, Oklahoma.

12/28/2007