

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

April 10, 2007

9:30 a.m.

**Board Room
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 April 4, 2007 at 2:40 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 Rudy Herrmann**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the March 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 Extension of Time for Obligation of Funds for Ardmore Public Works Authority, Carter County. Recommended for Approval.
 - B. Presentation and Discussion of Integrating the Clean Water State Revolving Fund with Watershed Protection.

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 Amendment to Scope of Project 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>
CEODD				
1.	FAP-05-0016-R	Lone Chimney Water Association	Pawnee	\$99,990.00

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
 - 1. *Amendment to Agreement with Office of the Secretary of the Environment for USEPA §106 Funding Increase for National Lakes Probabilistic Survey. **AMENDED ITEM***
 - 2. *Third Modification to Subagreement with the University of North Texas for Services in Support of Monitoring and Mitigation Efforts in Grand and Hudson Lakes. **AMENDED ITEM***
 - 3. OWRB McAlester office renewal lease agreement with Mills Family LLC.
 - 4. *Joint Funding Agreement with the U.S. Geological Survey for the Attorney General Participation in the Federal-State Cooperative Program. **ADDED ITEM***
 - 5. Memorandum Agreement with Attorney General of the State of Oklahoma for continued monitoring and determination of water quality in the Scenic Rivers area included in cooperative program between OWRB and the USGS.

6. Amended lease agreement with IDK Investors, LLC to include extra space for OWRB Oklahoma City office.
- E. Applications for Temporary Permits to Use Groundwater:
1. Sam & Nila Birchett, Robert D. & Shannon Foreman, and Clara M. Foreman, Canadian County, #2006-610
 2. Ronald J. & Nancy A. Carel, Canadian County, #2006-612
 3. Bryan Kroeker, Kingfisher County, #2006-613
 4. Dale S. & Tracy L. Bogle Trusts, Canadian County, #2006-614
 5. Oklahoma #2, L.L.C., Craig County, #2006-617
- F. Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Applications for Regular Permits to Use Groundwater:
1. Wallace Inc., Cimarron County, #2006-582
 2. Oklahoma Department of Wildlife Conservation, Dewey County, #2006-606
 3. Ellis County Rural Water District #1, Ellis County, #2006-608
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Jeff & Jeri Slatten, Beaver County, #2006-534
- I. Applications to Amend Prior Rights to Use Groundwater:
None
- J. Applications for Regular Permits to Use Stream Water:
1. Kenneth & Bonnie Hahn, Kiowa County, #2006-062
- 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. Dan's Windmill Service, DPC-0683
 - b. Aqua-Drill-Services, L.L.C., DPC-0687
- M. Dam and Reservoir Plans and Specifications:
None
- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
1. Department of Transportation, Oklahoma County, FP-07-06
 2. Department of Transportation, Oklahoma County, FP-07-08
- O. Applications for Accreditation of Floodplain Administrators:
None

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

- A. Update on Comprehensive Water Plan Activities. **Mr. Dave Dillon**

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).

- A. Application for Regular Permit to Use Stream Water No. 2006-044, Wesley Dean and Sherrie S. Matteson, Major 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 Herrmann

8. PROPOSED EXECUTIVE SESSION

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.

9. 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

10. 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.

11. ADJOURNMENT Chairman Herrmann

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, May 8, 2007, at 1:30 p.m. in the Governor's Large Conference Room, 212 State Capitol Building, Oklahoma City, Oklahoma.

The meeting will be held in conjunction with "Water Day at the Capitol."

The Board's Ad Hoc Committee on Water Policy/Rules will meet immediately following the April Board meeting.