

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

June 12, 2007

9:30 a.m.

3800 N. Classen Boulevard
Oklahoma City, OK 73105

At 9:00 a.m. in the Executive Conference Room of the Oklahoma Water Resources Board offices, the staff and members will host a reception in honor of retiring Board Member Bill Secrest.

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 June 6, 2007 at 9:15 a.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 May 8, 2007, Regular Meeting.
 - D. Executive Director's Report, Recognitions and Resolutions. **Mr. Duane Smith**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Loan for Woodward Municipal Authority, Woodward County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Loan for Rural Water District #7, Wagoner County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Loan for Rural Water District #8, McCurtain County. Recommended for Approval.

- D. Consideration of and Possible Action on a Proposed Order Approving Loan for Lawton Water Authority, Comanche County. Recommended for Approval.
- E. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Broken Arrow Municipal Authority, Tulsa County. 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 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				Amount
<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Recommended</u>
COEDD				
1.	FAP-06-0009-R	Lone Chimney Water Association	Pawnee	\$99,990.00
2.	FAP-04-0021-R	Rural Water District #3	Lincoln	79,999.00
EODD				
3.	FAP-06-0011-R	Rural Water District #8	Cherokee	99,999.00

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
 - 1. Interagency Agreement with Department of Environmental Quality for sharing of OWRB Woodward and McAlester office space.
 - 2. Third Amendment to Agreement with the Office of the Secretary of the Environment for the Clean Water Act FY 03 §104(b)(3) Total Maximum Daily Loads (TMDL) Development (Special Purpose) CA# X7-976525-01.

3. Amendment to Agreement with the Office of the Secretary of the Environment for the Clean Water Act FY 05 §104(b)(3) Water Quality Cooperative Agreement CA# CP-966144-01.
 4. Intergovernmental Subagreement with the Board of Regents of the University of Oklahoma for continued maintenance of the Oklahoma Mesonet weather station located near Fittstown, Oklahoma.
 5. Lease Agreement with Department of Central Services for OWRB Tulsa office.
 6. Planning Assistance to States Supplemental Agreement No. 1 between the OWRB and United States of America, extending time to complete Water System and Supply Study for the City of Bristow.
 7. First Amended Interagency Agreement with GRDA to provide additional compensation to OWRB in its performance of the dissolved oxygen monitoring plan, the fish and wildlife mitigation project and the volunteer monitoring and outreach program.
 8. Letter Agreement between U.S. Army Corps of Engineers and OWRB under Planning Assistance to States Program titled "Programmatic Planning Support for Oklahoma Comprehensive Water Plan".
 9. Contract for Volunteer Monitoring between Grand Lake Water Watch, Inc. and OWRB. GLWW to coordinate the efforts of the volunteer monitors at Grand Lake.
 - 10. *Intergovernmental Agreement between the Central Oklahoma Master Conservancy District and OWRB. OWRB to provide routine water quality monitoring for Lake Thunderbird. Item withdrawn*
 11. Interagency Agreement with the Department of Environmental Quality Regarding the Drinking Water State Revolving Fund.
 12. Resolution to Authorize Chair or Vice-Chair to Execute Interagency Agreement with Department of Environmental Quality Regarding Professional Services for Government Affairs and Information Exchange.
- E. Applications for Temporary Permits to Use Groundwater:
1. The White Family Trust, Bryan County, #2006-567
 2. City of Choctaw/Choctaw Utilities Authority, Oklahoma County, #2006-609
 3. NRH Medical Park West, L.L.C., Cleveland County, #2007-511
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. Easton Family Limited Partnership, Tulsa County, #1992-608
 2. Larry E. & Dixie E. Claflin, Grant County, #2003-529

- G. Applications for Regular Permits to Use Groundwater:
1. Gerald A. & Jolena Ann Graves, Harper County, #2006-518
 2. Gerald A. Graves, Beaver County, #2006-532
 3. Tom & Ricky Ingram, Ellis County, #2006-578
 4. Meadows at River Bend West Lakes Owners Association, Inc., and the River Bend West Lake Owners Association, Inc., Canadian County, #2007-510
 5. Allan & Rita Baugh Revocable Living Trust, Creek County, #2007-514
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Gerald A. & Jolena Ann Graves, Beaver County, #1979-552
 2. Jerald & Deborah Radcliff, Beaver County, #1991-512
- I. Applications to Amend Prior Rights to Use Groundwater:
None
- J. Applications for Regular Permits to Use Stream Water:
1. AES Shady Point II, LeFlore County, #2006-014
 2. Charles R. Freeman, II, Kiowa County, #2006-043
 3. Warren Gene Heavener, LeFlore County, #2006-045
 4. Two States Sod Farm of Spiro, Oklahoma, LeFlore County, #2006-066
 5. James H. Burt, Tulsa County, #2006-069
 6. Daube Ranch & Mineral Limited Partnership, an Oklahoma Limited Partnership, Carter County, #2006-070
 7. Ravenswood – The Island, L.L.C., Wagoner County, #2007-007
 8. Richard C. & Joni S. Barrett, Hughes County, #2007-009
 9. Jamie Ross Gilliam, LeFlore County, #2007-010
 10. John Troyer, Coal County, #2007-011
 11. Chris McComas, Grady County, #2007-012
 12. William Gabehart, Caddo County, #2007-015
- K. Applications for Term Permits to Use Stream Water:
1. William S. Howard, Pushmataha County, #2007-020
- L. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Jason Lance Hockersmith, DPC-0691
 - b. Ecovac Services, DPC-0693
 2. New Operators or Activities for Existing Licenses:
 - a. Citizen Potawatomi Nation, DPC-0641
- 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 Wildlife Conservation, Dewey County, FP-06-06
2. Department of Transportation, Okfuskee County, FP-07-10
3. Department of Transportation, Custer County, FP-07-11
4. Department of Transportation, Garfield County, FP-07-12
5. Department of Transportation, Wagoner County, FP-07-13
6. Department of Transportation, Osage County, FP-07-14
7. Department of Transportation, Pittsburg County, FP-07-15
8. Department of Transportation, Delaware County, FP-07-16
9. Department of Transportation, Comanche County, FP-07-18
10. Department of Transportation, Carter County, FP-07-20
11. Department of Transportation, Carter County, FP-07-21
12. Department of Transportation, Payne County, FP-07-22
13. Department of Transportation, Payne County, FP-07-23
14. Department of Transportation, Okmulgee County, FP-07-24
15. Department of Transportation, Hughes County, FP-07-25

O. Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the June 12, 2007 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. 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 to Amend Term Permit to Use Stream Water No. 2004-022, Randall R. Williams, Jackson 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. ELECTION OF OFFICERS **Chairman Herrmann**

11. 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.

12. ADJOURNMENT **Chairman Herrmann**

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, July 10, 2007, at 9:30 a.m. in the Board Room of the Oklahoma Water Resources Board offices, Oklahoma City, Oklahoma.