

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

February 21, 2017
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 February 16, 2017 at 4:30 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

01000 1. CALL TO ORDER Chairman Linda Lambert

A. Roll Call

B. Discussion, Amendments, and Vote to Approve Official Minutes of the January 17, 2017, Regular Meeting.

C. Interim Executive Director's Report. **Ms. Julie Cunningham**

D. Financial Update **Mr. Cleve Pierce**
1. Budget Report
2. Audit Report

02000 2. FINANCIAL ASSISTANCE DIVISION Mr. Joe Freeman

A. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Emergency Grant Funds for Depew Public Works Authority, Creek County. Recommended for Approval.

B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Muskogee Municipal Authority, Muskogee County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Lambert

All of the items listed below under this Summary Disposition Agenda are recommended for approval.

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 Listed Below.

C. Consideration of and Possible Action on 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>
None				

D. Consideration of and Possible Action on Contracts and Agreements:

- 1. Professional Engineering Services agreement between OWRB and Lynker Technologies for Lynker to review OWRB's models for the Upper Washita Stream System.
- 2. Agreement between OWRB and the United States Geological Survey to conduct groundwater hydrological surveys on the Boone and Roubidoux Aquifers.
- 3. Resolution to enter into a financial assistance agreement with the Bureau of Reclamation under the Water SMART: Title XVI Water Reclamation and Reuse Program.
- 4. Contract between OWRB and Oklahoma Floodplain Managers Associations, Inc., to publish informational materials to educate the public, floodplain managers and administrators on flood hazards and the reduction of these hazards.
- 5. Letter Agreement between OWRB and the U.S. Army Corps of Engineers through the District Engineer for the Tulsa District to update or begin hydrologic studies of aquifer basins in northeastern Oklahoma.

E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:

- 1. KTO Farms, L.L.C., Canadian County, #2016-560

F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:

- 1. Goldsby Water Authority, McClain County, #2011-607

- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
1. Jimmie A. & Beverly A. Meeks, Tillman County, #2015-566
 2. Reid & Sarah Shrauner, Texas County, #2016-526
 3. First National Bank, Goodland, KS Custodian f/b/o Lonnie W. Gilley IRA, Garvin County, #2016-567
 4. Jimmie A. & Beverly A. Meeks, Tillman County, #2016-572
- H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
None
- I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:
None
- J. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
1. City of Tishomingo, Johnston County, #2016-023
- K. Consideration of and Possible Action on Dam and Reservoir Construction:
None
- L. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
1. New Licenses and Operators:

a. Licensee: Tolunay-Wong Engineers	DPC-0971
1. Operator: Josh Crow	OP-2185
2. Operator: Arlin Barge	OP-2188
b. Licensee: Holman Pump & Well Service	DPC-0973
1. Operator: Brannon Holman	OP-2186
c. Licensee: Alex Eubank Water Well	DPC-0975
1. Operator: Alex Eubank	OP-2187
 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:

a. Licensee: JW's Water Well Service	DPC-0875
1. Operator: James Eldridge	OP-1972
b. Licensee: Two Eight Drilling	DPC-0215
1. Operator: Tyler Williams	OP-2181
c. Licensee: Aimright Testing & Engineering	DPC-0953
1. Operator: Hayden Wilson	OP-2182
2. Operator: Brandon Parks	OP-2183
d. Licensee: Associated Environmental Industries	DPC-0269
1. Operator: James Jones	OP-2184
e. Licensee: Hockaday Hardware	DPC-0346
1. Operator: Brock Whitson	OP-2189
- M. Consideration of and Possible Action on Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
1. Oklahoma Department of Transportation, McCurtain County, #FP-16-58
 2. Oklahoma Department of Transportation, McCurtain County, #FP-16-59

3. Oklahoma Department of Transportation, McCurtain County, #FP-16-60
4. Oklahoma Department of Transportation, McCurtain County, #FP-16-61

N. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:

1. Kyle C. Clifton, City of Claremore, #FPA-703
2. Charlie L. Ralls, City of Comanche, #FPA-704
3. Jon D. Friesen, City of Kingfisher, #FPA-705

04000 4. PROPOSED AMENDMENTS TO PERMANENT RULES Chairman Lambert

A. Consideration of and Possible Action on Adoption of Rules Amendments in Chapter 45 - Oklahoma's Water Quality Standards

Staff recommends for approval the proposed changes of OAC 785:45 listed below:

1. Summary — **Mr. Bill Cauthron**

Subchapter 1. General Provisions

785:45-1-2. Definitions [AMENDED]

Subchapter 7. Groundwater Quality Standards [AMENDED]

785:45-7-1. Scope and Applicability; Purpose [AMENDED]

785:45-7-2. ~~Criteria for Groundwater Protection and Corrective Actions~~Groundwater Quality Antidegradation Policy [AMENDED]

785:45-7-3. Groundwater Classifications, beneficial uses and vulnerability levels [AMENDED]

785:45-7-4. Criteria for groundwater quality protection [NEW]

785:45-7-5. Corrective Action [NEW]

2. Questions and Discussion by Board Members

3. Vote on whether to adopt recommended amendments as presented or as may be revised after discussions.

B. Consideration of and Possible Action on Adoption of Rules Amendments in Chapter 50 Financial Assistance

Staff recommends for approval the proposed changes to OAC 785:50 listed below

1. Summary - **Mr. Joe Freeman**

Subchapter 7. Water and Sewer Program (Bond Proceed Loans and Emergency Grants) Requirements and Procedures

785:50-7-7. Disbursement of funds [AMENDED]

Subchapter 8. Rural Economic Action Plan (REAP) Grant Program Requirements and Procedures

785:50-8-6. Disbursement of funds [AMENDED]

Subchapter 9. Clean Water State Revolving Fund Regulations
Part 3. General Program Requirements
785:50-9-23. Clean Water SRF Project Priority System [AMENDED]
785:50-9-33. Application for financial assistance [AMENDED]

2. Questions and Discussion by Board Members
3. Vote on whether to adopt recommended amendments as presented or as may be revised after discussions

05000 5. SPECIAL CONSIDERATION

Chairman Lambert

A. Consideration of and Possible Action on both the Applications for Regular Permits to Use Stream Water Nos. 2014-059 and 2014-061, Wooderson Farms, Kay County, and the City of Blackwell's Protest and Request that the Applications be Remanded to a Hearing Examiner:

1. Summary – **Mr. Kent Wilkins**
2. Discussion and presentation by parties
3. Vote on whether to approve or as may be amended, or vote on any other action or decision relating to applications.

B. Consideration of and Possible Action on both the Vici Public Works Authority's Motion to Reopen and Reconsider and the Hearing Examiner's Proposed Findings of Fact, Conclusions of Law and Board Order on Application to Amend Regular Permit to Use Groundwater No. 2004-532, Vici Public Works Authority, Dewey and Woodward Counties:

1. Summary – **Mr. Kent Wilkins**
2. Discussion and presentation by parties
3. Possible Executive Session
As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act”.
 - (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.
4. Return to open meeting and possible vote or action on any matter discussed in the Executive Session, if authorized.
5. 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.

C. Consideration of and Possible Action on Proposed Findings of Fact, Conclusions of Law and Board Order on Application for a Regular Permit to Use Groundwater No. 2015-605, Boaldin Family, L.L.C., Texas County:

1. Summary – **Mr. Kent Wilkins**
2. Discussion and presentation by parties

3. Possible Executive Session

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act”.

(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.

4. Return to open meeting and possible vote or action on any matter discussed in the Executive Session, if authorized.

5. 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.

D. Consideration of and Possible Action on Items Transferred from Summary Disposition Agenda, if any.

6. PROPOSED EXECUTIVE SESSION

Chairman Lambert

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(1) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee.

Pursuant to this provision, the Board proposes to hold an executive session for the purpose of consideration, discussion and possible action regarding the recommendation of Search Committee for the review of applications for the position of a new permanent Executive Director of the Oklahoma Water Resources Board

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.

D. Return to open meeting and possible vote or action on any matter discussed in the Executive Session, if authorized.

7. NEW BUSINESS

Chairman Lambert

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.

8. ADJOURNMENT

Chairman Lambert

The next regular meeting of the Oklahoma Water Resources Board will be Tuesday, March 21, 2017, at 9:30 a.m. at the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK 73118

Water Appreciation Day at the Capitol, March 21, 2017, 9:00 a.m. – 1:00 p.m.
Fourth Floor Rotunda, State Capitol Building, 2300 N. Lincoln Boulevard, Oklahoma City, OK

2/16/2017