

**TITLE 785. OKLAHOMA WATER RESOURCES BOARD
CHAPTER 46. OKLAHOMA'S WATER QUALITY STANDARDS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 15. Use Support Assessment Protocols

785:46-15-5. Assessment of Fish and Wildlife support [AMENDED]

SUMMARY:

The Oklahoma Water Resources Board ("OWRB") is proposing to amend Oklahoma Administrative Code ("OAC") 785:46-15-5 as follows:

Amendments are being proposed to clarify language associated with Fish and Wildlife Propagation use support assessments for dissolved oxygen. The amendments being proposed include reformatting language for the support tests to more clearly describe the applicable dates and magnitudes, including language in the support tests to more clearly specify that the assessments are made across all life stages and seasons, including a new subsection (D) to describe how the term "surface" is used in this section, removing language in subsection (6) that refers to periods of thermal stratification, and addition of language in (B) to specify that the undetermined status for the water column criteria is only applicable when no volumetric data is available.

Other amendments may be considered as a result of public comments.

AUTHORITY:

Oklahoma Water Resources Board, 82 O.S., §§ 1085.30 and 1085.30a; 27A O.S., § 1-3-101; and 82 O.S., § 1085.2.

COMMENT PERIOD:

Persons wishing to present data, views, or arguments orally or in writing may do so at 3800 North Classen, Oklahoma City, Oklahoma 73118 before 5:00 P.M. on January 20, 2015.

PUBLIC HEARING:

A public hearing will be held January 20, 2015 during the monthly meeting of the OWRB which will begin at 9:30 A.M. in the Board Room of the OWRB's offices located at 3800 North Classen, Oklahoma City, Oklahoma.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The OWRB requests that any business entities affected by these proposed rules provide the OWRB, within the Comment Period from December 1, 2014 through January 20, 2015, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Jason Childress at 3800 North Classen, Oklahoma City, Oklahoma 73118 before 5:00 P.M. on January 20, 2015.

COPIES OF PROPOSED RULES:

Copies of the proposed amendments may be reviewed at the OWRB's office location at 3800 North Classen, Oklahoma City, Oklahoma 73118, or may be obtained from the "Contact Person" identified below upon prepayment of the copying charge. The proposed amendments may also be viewed on the OWRB web site at <http://www.owrb.ok.gov>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a Rule Impact Statement is available for review at the OWRB's office, 3800 North Classen, Oklahoma City, Oklahoma. The Rule Impact Statement

may also be viewed on the OWRB web site at <http://www.owrb.ok.gov>.

CONTACT PERSON:

Jason Childress, Water Quality Standards Section Head, 405/530-8800 or
Jason.Childress@owrb.ok.gov.