

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

March 13, 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 March 6, 2007 at 4:30 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 February 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 Loan for Hobart Public Works Authority, Kiowa County. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving Loan for Beggs Public Works Authority, Okmulgee County. Recommended for Approval.
- C. Report of the Finance Committee on and Board Affirmation of Selection of Bond Counsel in Connection with the Issuance of Obligations to Provide Funding for the State Loan Program.
- D. Presentation and Discussion of Financing Methodology and Future Needs of the State Loan Program, the Clean Water State Revolving Fund, and the Drinking Water State Revolving Fund. No Action to be Taken.

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>
ASCOG				
1.	FAP-05-0044-R	Cement Public Works Authority	Caddo	\$89,999.00
EODD				
2.	FAP-06-0038-R	Beggs Public Works Authority	Okmulgee	150,000.00
SWODA				
3.	FAP-06-0007-R	Eldorado Public Works Authority	Jackson	97,300.00

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
 - 1. Amended Contract with Grand Lake Water Watch, Inc for Volunteer Monitoring
 - 2. Agreement Modification for Extension of Initial Contract with Oklahoma Conservation Commission for Spavinaw Creek Watershed Implementation Project.
- E. Applications for Temporary Permits to Use Groundwater:
None
- F. Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Applications for Regular Permits to Use Groundwater:
None

- H. Applications to Amend Regular Permits to Use Groundwater:
None

- 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. Sand Springs Materials, L.L.C., Tulsa County, #2006-047

- 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. Boart Longyear Co., DPC-0671
 - b. Lindamood Water Well Service, DPC-0673
 - c. Craig Water Well, DPC-0677
 - d. Frontier Drilling, DPC-0679
 - e. Ski Line & Equipment Rental, LLC, DPC-0681
 - 2. New Operators, Activities for Existing Licenses:
 - a. Williams Drilling Co., Inc., DPC-0229
 - b. Associated Environmental Industries Corp., DPC-0269
 - c. Citizen Potawatomi Nation, DPC-0641
 - d. Engineering Services and Testing, DPC-0658

- 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, Wagoner County, FP-06-31
 - 2. Department of Transportation, Pittsburg County, FP-06-34
 - 3. Department of Transportation, Canadian County, FP-06-35
 - 4. Department of Transportation, Canadian County, FP-06-36
 - 5. Department of Transportation, Oklahoma County, FP-06-37
 - 6. Department of Transportation, Woods County, FP-06-38
 - 7. Department of Transportation, Pittsburg County, FP-06-39
 - 8. Department of Transportation, Ottawa County, FP-07-01
 - 9. Department of Transportation, Woods County, FP-07-02
 - 10. Department of Transportation, Stephens County, FP-07-03
 - 11. Department of Transportation, Kiowa County, FP-07-04
 - 12. Department of Transportation, Kiowa County, FP-07-05

- O. Applications for Accreditation of Floodplain Administrators:
None

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

- A. Presentation of Final Proposed New Permanent Rules and Amendments to Current Rules of the Board
- B. Introduction and Discussion of Public Participation Process. **Duane Smith**
- C. Proposed Amendments to Chapter 5 – Well Drillers and Licensing Fees
 - 1. Summary of final draft proposed rules – **Lou Klaver**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.
- D. Proposed Amendments to Chapter 50 – Financial Assistance
 - 1. Summary of final draft proposed rules – **Joe Freeman**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.
- E. Proposed Amendments to Chapter 45 – Water Quality Standards
 - 1. Summary of final draft proposed rules – **Phil Moershel**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.
- F. Proposed Amendments to Chapter 46 – Water Quality Standards Implementation
 - 1. Summary of final draft proposed rules – **Phil Moershel**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.

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. There are no Special Consideration Items for the Board's Consideration.
- 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, April 10, 2007, at 9:30 a.m., at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

May 8, 2007 is "Water Day at the Capitol" The Board meeting will be held at 1:30 p.m. in the Governor's Large Conference Room, 212 State Capitol Building.