

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

November 9, 2010

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 November 2, 2010 at 5:15 p.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 October 12, 2010, Regular Meeting.
 - D. Executive Director's Report. **Mr. J.D. Strong**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for City of Waynoka, Woods County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for McCurtain Municipal Authority, Haskell County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Okemah Utilities Authority, Okfuskee County. Recommended for Approval.

- D. Consideration of and Possible Action on a Proposed Resolution Expressing Official Intent to Reimburse Costs of Loans for Clean Water State Revolving Fund Projects. Recommended for Approval.
- E. Consideration of and Possible Action on a Proposed Resolution Expressing Official Intent to Reimburse Costs of Loans for Drinking Water State Revolving Fund Projects. 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 Possible Action on Items 3. C through 3.O., Recommended for Approval.

C. 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, Recommended for Approval:

- 1. Interagency Agreement with the Oklahoma Department of Wildlife Conservation for the project "Flow Variability and Ecological Integrity Baseline Monitoring" in Upper Illinois and Upper Mountain Fork Mainstems.
- 2. Contract with the City of Lawton to conduct LiDAR Survey of Medicine Creek below Lake Lawtonka and East Cache Creek below Lake Ellsworth for the purpose of constructing a breach inundation map for the two lakes.
- 3. Memorandum Agreement with CP Kelco and USGS for water monitoring and data collection.

4. Memorandum Agreement with the Choctaw Nation of Oklahoma and USGS for water monitoring and data collection.
 5. Memorandum Agreement with the Chickasaw Nation Division of Commerce and USGS for water monitoring and data collection.
 6. Professional Services Agreement with Camp Dresser and McKee, Inc.
 7. Amendment to Joint Funding Agreement with USGS for continuation of monitoring program.
 8. Amendment No. 1 to Intergovernmental Agreement with The Board of Regents of the University of Oklahoma, University Outreach/College of Continuing Education to provide floodplain management workshops.
 9. Agreement with the Office of the Secretary of the Environment for the Clean Water Act FY 10 §106 Water Pollution Control Program – Monitoring Grant CA# I-00F28001.
 - 10. *Memorandum Agreement with The Cherokee Nation of Oklahoma and USGS for water monitoring and data collection. Item added*
- E. Applications for Temporary Permits to Use Groundwater:
1. Scoggin Family 1995 Trust, Roger Mills County, #2010-535
 2. Turkey Trak Ranch, L.L.C., Osage County, #2010-540
 3. Turkey Trak Ranch, L.L.C., Osage County, #2010-541
 4. General Materials, Inc., Cleveland County, #2010-543
 5. Claude Smith 2009 Trust, Cimarron County, #2010-544
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. Eleanor Renbarger, Major County, #1981-622D
 2. Seneca-Cayuga Tribe of Oklahoma, Delaware County, #2004-584
 3. Chain Land & Cattle Company, Inc., Dewey County, #2006-577
- G. Applications for Regular Permits to Use Groundwater:
None
- H. Applications to Amend Regular Permits to Use Groundwater:
None
- I. Applications for Regular Permits to Use Stream Water:
1. TPH Capital, L.L.C., Johnston County, #2010-019
 2. RHB Verdigris, L.L.C., Rogers County, #2010-020
 3. Eufaula Public Works Authority, McIntosh County, #2010-021
 4. City of Bartlesville, Osage County, #2010-022

- J. Forfeitures (Reductions) of Stream Water Rights:
1. O. A. Hall/Steve & Glenda Kinzie, Kay County, #1954-253
 2. Roy N. Purcell, Pawnee County, #1964-700
 3. Kelly Dean Wahl, Major County, #1976-048
 4. Kelly Dean Wahl, Major County, #1976-059
 5. Matt Moreland, Grant County, #1998-013
 6. Dean Reimer, Major County, #2000-027
 7. Goodson Ranch, L.P., Kay County, #2001-036
- K. Forfeitures (Cancellation) of Stream Water Rights:
1. Cecil R. Bearden, Canadian County, #1988-036
- L. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: Water Well Pump Repair & Service DPC-0822
 1. Operator: Harold W. Dudley OP-1798
 - Activities: Installation of water well pumps
 - b. Licensee: Plummer Water Well Service DPC-0824
 1. Operator: Roy Plummer OP-1799
 - Activities: Installation of water well pumps
 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
 - a. Licensee: Associated Environmental Industrial Corporation DPC-0269
 - 1. Operator: Wayne R. Griffin *OP-1800*
corrected
 - Activities: Groundwater wells, groundwater test holes, and observation wells
Monitoring wells and geotechnical borings
Heat exchange wells
- M. Dam and Reservoir Construction:
1. Royce L. Casey, Pittsburg County, #OK30360
 2. Robert E. & Linda H. Hall, Pittsburg County, #OK30361
 3. M. L. Lenardo, Pittsburg County, #OK30362
 4. David Webster, Hughes County, #OK30363
- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
1. Oklahoma State University, Payne County, #FP-10-17
 2. Oklahoma Department of Transportation, McCurtain County, #FP-10-18
- O. Applications for Accreditation of Floodplain Administrators:
Names of floodplain administrators to be accredited and their associated communities are individually set out in the November 9, 2010 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. Kyle Arthur**

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); Proposed Findings, Conclusions and Order are Recommended for Approval in the following matters:

- A. In the Matter of Stream Water Right No. 1988-037 of Everett W. Meyer Trust, Stream System 2-9-2, Canadian County, Oklahoma:
- (1) Summary – **Julie Cunningham**
 - (2) Discussion
 - (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 findings of fact, conclusions of law and board order if approved – 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 findings of fact, conclusions of law and board order as presented or as may be amended, or vote on other action or decision relating to the proposed order, findings of fact, conclusions of law.
- B. Proposed Findings of Fact, Conclusions of Law and Board Order: Daniel Paul Bandimere and Enviroguard Technologies
- (1) Summary – **Julie Cunningham**
 - (2) Discussion
 - (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 findings of fact, conclusions of law and board order if approved – 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 findings of fact, conclusions of law and board order as presented or as may be amended, or vote on other action or decision relating to the proposed order, findings of fact, conclusions of law.

C. Items transferred from Summary Disposition Agenda, if any.

06000 6. AGENCY BUDGET REPORT Ms. Leslie Nance

**07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY
Chairman Herrmann**

8. 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.

9. ADJOURNMENT Chairman Herrmann

The next meeting of the Oklahoma Water Resources Board will be on Tuesday, December 14, 2010, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK

11/02/2010