

# REVISED AGENDA

## OKLAHOMA WATER RESOURCES BOARD

January 15, 2013

9:30 a.m.

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 January 11, 2013 at 3:00 p.m. A copy of this agenda is available on the OWRB website at [www.owrb.ok.gov](http://www.owrb.ok.gov). Revised items are indicated by “•” and italics.

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- 01000 1. CALL TO ORDER Chairman Ford Drummond**
- A. Roll Call
  - B. Discussion, Amendments, and Vote to Approve Official Minutes of the December 18, 2012, Regular Meeting.
  - C. Executive Director's Report. **Mr. J.D. Strong**
  - D. Monthly Budget Report **Ms. Amanda Storck**
- 02000 2. FINANCIAL ASSISTANCE DIVISION Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for The Elgin Public Works Authority, Comanche County. Recommended for Approval.
- 03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Drummond**
- 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. 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. No-Cost Time Extension Agreement with Oklahoma State University Department of Natural Resource Ecology and Management for Phase III assessment of oxbow wetlands and lakes in Oklahoma.
2. Amendment of Joint Funding Agreement with U.S. Geological Survey to provide extension and additional funding for the project "Garber-Wellington Aquifer Management, Central Oklahoma".

E. Applications for Temporary Permits to Use Groundwater:

1. ONEOK Hydrocarbon L.P., Grant County, #2012-630

F. Applications to Amend Temporary Permits to Use Groundwater:

1. City of Medford, Grant County, 1977-778

G. Applications for Regular Permits to Use Groundwater:

None

H. Applications to Amend Regular Permits to Use Groundwater:

1. Gordon & Patricia Miller, Canadian County, #1975-899

I. Applications to Amend Prior Rights to Use Groundwater:

None

J. Applications for Regular Permits to Use Stream Water:

None

K. Well Driller and Pump Installer Licensing:

**1. New Licenses, Accompanying Operator Certificates and Activities:**

- a. Licensee: GWM Enterprises, Inc./dba Roddy Qualls Environmental  
Drilling DPC-0857  
Operator: Roddy Qualls OP-1639  
Activities: Monitoring wells and geotechnical borings
- b. Licensee: Chris Holloway DPC-0855  
Operator: Chris Holloway OP-1951  
Activities: Groundwater wells, groundwater test holes and observation wells  
Monitoring wells and geotechnical borings  
Pump installation

- 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:**
- a. Licensee: Sahara Water Services, LLC DPC-0781
  - 1. Operator: Logan Lee Pollock OP-1950
  - Activities: Groundwater wells, groundwater test holes and observation wells  
Pump installation

L. Dam and Reservoir Construction:

- 1. Ada City Lake, Pontotoc County, #OK11028
- 2. *Fairfax Golf Course Development, Oklahoma County, #OK30445* *Item added*

M. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

- 1. Oklahoma Department of Transportation, Cherokee County, #FP-12-35
- 2. Oklahoma Department of Transportation, Comanche County, #FP-12-36
- 3. Oklahoma Department of Transportation, Osage County, #FP-12-37
- 4. Oklahoma Department of Transportation, Osage County, #FP-12-38
- 5. Oklahoma Department of Transportation, Osage County, #FP-12-39
- 6. Oklahoma Department of Transportation, Ottawa County, #FP-12-40

N. Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the January 15, 2013 packet of Board materials.

**04000 4. PUBLIC HEARING ON PROPOSED NEW AND AMENDED PERMANENT RULES OF THE BOARD**

This public hearing is an opportunity for interested persons to present oral or written argument, data, and views on the new and amended rules of the Board which are being proposed in the Chapters of Title 785 of the Oklahoma Administrative Code specified below.

Other than this public hearing, no action will be taken by the Board on the proposed rules at the January 15, 2013 meeting. The proposed new and amended rules are expected to be scheduled for consideration and possible adoption or other action by the Board at its February 19, 2013 meeting.

- A. Proposed Amended Rules in Chapter 25. Dams and Reservoirs
  - 1. Summary of proposed amended rules – **Ms. Julie Cunningham**
  - 2. Comments on the proposed amended rules by interested persons
- B. Proposed New and Amended Rules in Chapter 30. Taking and Use of Groundwater
  - 1. Summary of proposed new and amended rules – **Ms. Julie Cunningham**
  - 2. Comments on the proposed new and amended rules by interested persons
- C. Proposed Amended Rules in Chapter 35. Well Driller and Pump Installer Licensing
  - 1. Summary of proposed amended rules – **Ms. Julie Cunningham**
  - 2. Comments on the proposed amended rules by interested persons

- D. Proposed New and Amended Rules in Chapter 45. Oklahoma’s Water Quality Standards
  - 1. Summary of proposed new and amended rules – **Mr. Derek Smithee**
  - 2. Comments on the proposed new and amended rules by interested persons
- E. Proposed Amended Rules in Chapter 46. Implementation of Oklahoma’s Water Quality Standards
  - 1. Summary of proposed amended rules – **Mr. Derek Smithee**
  - 2. Comments on the proposed amended rules by interested persons
- F. Proposed Amended Rules in Chapter 50. Financial Assistance
  - 1. Summary of proposed amended rules – **Mr. Joe Freeman**
  - 2. Comments on the proposed amended rules by interested persons

**05000 5. SPECIAL CONSIDERATION Chairman Drummond**

- A. *No items.*
- B. Items transferred from Summary Disposition Agenda, if any.

**06000 6. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY Chairman Drummond**

**7. PROPOSED EXECUTIVE SESSION Chairman Drummond**

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 Chickasaw Nation and Choctaw Nation v. Fallin, et al., Oklahoma Water Resources Board v. United States on behalf of the Choctaw Nation et al. and Tarrant Regional Water District v. Herrmann, et al.*

Statement by legal counsel advising on whether disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest.

- A. Vote on whether to hold Executive Session upon determination that disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest. 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.

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

**8. VOTE(S) ON POSSIBLE ACTION(S), IF ANY, RELATING TO MATTERS DISCUSSED IN EXECUTIVE SESSION IF AUTHORIZED.**

**9. NEW BUSINESS Chairman Drummond**

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.

**10. ADJOURNMENT Chairman Drummond**

The next regular meeting of the Oklahoma Water Resources Board will be held Tuesday, February 19, 2013, at 9:30 a.m., at the Oklahoma Water Resources Board, 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

1/11/2013