

# A G E N D A

## OKLAHOMA WATER RESOURCES BOARD

**July 19, 2016**

**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 July 15, 2016, at 3:30 p.m. A copy of this agenda is available on the OWRB website at [www.owrb.ok.gov](http://www.owrb.ok.gov).

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**01000 1. CALL TO ORDER Chairman Linda Lambert**

- A. Roll Call
- B. Discussion, Amendments, and Vote to Approve Official Minutes of the June 21, 2016, Regular Meeting.
- C. Executive Director's Report. **Mr. J.D. Strong**
- D. Monthly Budget Report **Mr. Cleve Pierce**

**02000 2. FINANCIAL ASSISTANCE DIVISION Mr. Joe Freeman**

- A. Consideration of and Possible Action on Selection of Bond Counsel in Connection with the Issuance of One or More Obligations to Provide Funding for the State Loan Program. Recommended for Approval.
- B. Consideration of and Possible Action on Selection of Investment Banker(s) in Connection with the Issuance of One or More Obligations to Provide Funding for the State Loan Program. 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. Contract between OWRB and Department of Environmental Quality to provide laboratory services for implementation of water quality monitoring.
  - 2. Interagency Agreement between OWRB and Oklahoma Department of Agriculture, Food, and Forestry ("ODAFF") for the collection of water samples from monitored wells at licensed managed feeding operations.
  - 3. Interagency Agreement between OWRB and the Grand River Dam Authority ("GRDA") to complete Phase I of the development of the Grand Lake Comprehensive Water Plan, in partnership with the U.S. Army Corps of Engineers, to protect and enhance the beneficial uses of surface and groundwater resources in the Grand River Basin.
  - 4. Intergovernmental Agreement between OWRB and the City of Tulsa to provide hydrologic and hydraulic modeling and floodplain mapping for Brookhollow Creek, Brookhollow Tributary Creek, and Little Haikey Creek.
- E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
  - 1. Kent L. & Beth Switzer, Custer County, #2016-521
- F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
  - 1. Andy & Tonya Brown, Okfuskee County, #1994-601
- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
  - 1. Hill Brothers Farms, L.L.C., Beaver and Texas Counties, #2016-512
  - 2. Tyler & Amanda Kamp, Beaver County, #2016-523
- 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:
  - 1. Grady County RWS&SWMD No. 6, Caddo County, #1957-273A
- J. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
  - 1. Calvin & Judith Feild, Grady County, #2015-037
- K. Consideration of and Possible Action on Applications to Amend Permits to Use Stream Water: None
- L. Consideration of and Possible Action on Dam and Reservoir Construction:  
None
- M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
  - 1. New Licenses and Operators:
    - a. Licensee: Environmental Drilling, Inc. DPC-0936
      - 1. Operator: Tom Nowak OP-2161
    - b. Licensee: H2O Pump and Wells Service DPC-0938
      - 1. Operator: Kyle Mason OP-2162
  - 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
    - a. Licensee: Geotechnology, Inc. DPC-0866
      - 1. Operator: Bryan Steiner OP-1924
- N. 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, Kingfisher County, #FP-15-42
  - 2. Oklahoma Department of Transportation, Kingfisher County, #FP-16-01
  - 3. Oklahoma Department of Transportation, Nowata County, #FP-16-02
  - 4. Oklahoma Department of Transportation, McCurtain County, #FP-16-03
  - 5. Oklahoma Department of Transportation, McCurtain County, #FP-16-04
  - 6. Oklahoma Department of Transportation, Kay County, #FP-16-05
  - 7. Oklahoma Department of Transportation, Texas County, #FP-16-07
  - 8. Oklahoma Department of Transportation, Bryan County, #FP-16-08
  - 9. Oklahoma Department of Transportation, Beckham County, #FP-16-09
  - 10. Oklahoma Department of Transportation, Rogers County, #FP-16-11
  - 11. Oklahoma Department of Transportation, Cleveland & McClain Counties, #FP-16-12
  - 12. Oklahoma Department of Transportation, Kay County, #FP-16-17
  - 13. Oklahoma Department of Transportation, Comanche County, #FP-16-18
  - 14. Oklahoma Department of Transportation, Latimer County, #FP-16-22
  - 15. Oklahoma Department of Transportation, Custer County, #FP-16-28
  - 16. Oklahoma Department of Transportation, Harmon County, #FP-16-31
  - 17. Oklahoma Department of Transportation, Sequoyah County, #FP-16-32
- O. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:
  - 1. Chad Denson, CFM, City of Choctaw, #FPA-685
  - 2. William (Chip) H. Cohrs, III, City of Coweta, #FPA-686
  - 3. Travis P. Ary, City of Lexington, #FPA-687
  - 4. Sandy R. Settle, Washita County, #FPA-688

**04000 4. QUESTIONS AND DISCUSSION ABOUT AGENCY MATTERS AND OTHER ITEMS OF INTEREST Chairman Lambert**

A. No items.

**05000 5. SPECIAL CONSIDERATION Chairman Lambert**

A. Consideration of and Possible Action on Proposed Findings of Fact, Conclusions of Law and Board Order on Alleged Violations of Well Driller Regulations by Respondent Scott Drummond, DPC-0849, OP-1876:

1. Summary – **Ms. Julie Cunningham**

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.

B. 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)(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., and Oklahoma Water Resources Board v. United States on behalf of the Choctaw Nation 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.

**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 held at 9:30 a.m. August 16, 2016, at the OWRB Offices located at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

7/15/2016