

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

January 21, 2020
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 16, 2020 at 4:45 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

- 01000 1. CALL TO ORDER** **Chairman Robert L. Stallings, Jr.**
- A. Roll Call
- B. Discussion, Amendments, and Vote to Approve Official Minutes of the December 5, 2019, Regular Meeting
- C. Executive Director's Report and possible discussion: **Ms. Julie Cunningham**
- 1. Calendar Items
 - 2. Legislative Update
 - 3. Agency Update
- D. Financial Update **Mr. Cleve Pierce**
- 1. Budget Report
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Roland Utility Authority, Sequoyah County. Recommended for Approval.
- 03000 3. SUMMARY DISPOSITION AGENDA ITEMS** **Chairman Stallings**

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>
ACOG				
a.	FAP-20-0011-R	Cement Public Works Authority	Caddo	\$99,999.00
COEDD				
b.	FAP-18-0031-R	Weleetka Public Works Authority	Okfuskee	99,999.00
INCOG				
c.	FAP-20-0007-R	Sperry Utility Service Authority	Tulsa	63,150.00
KEDDO				
d.	FAP-20-0009-R	McCurtain Municipal Authority	Haskell	99,999.00
NODA				
e.	FAP-20-0018-R	Goltry Public Works Authority	Alfalfa	99,999.00
OEDA				
f.	FAP-20-0004-R	Texhoma Public Works Authority	Texas	99,999.00
SWODA				
g.	FAP-19-0018-R	Roosevelt Public Works Authority	Kiowa	79,999.00

- D. Consideration of and Possible Action on the Contracts and Agreements:
 - 1. Contract between OWRB and Oklahoma Floodplain Managers Association, Inc., to publish informational materials to educate the public, floodplain managers and administrators on flood hazards and the reduction of these hazards.
 - 2. Sponsored Research Agreement between OWRB and the University of Oklahoma for database compilation and geospatial analysis of produced water quality in Oklahoma.
 - 3. Sponsored Research Agreement between OWRB and Oklahoma State University for chemical characterization of produced water using nuclear magnetic resonance (NMR) analysis to identify compound classes.

4. Facility Usage Agreement between OWRB and Francis Tuttle Technology Center to reserve meeting space for Dam Safety Training on April 14-15, 2020.
 5. Professional Engineering Services Agreement between OWRB and Lynker Technologies to revise the North Canadian River System model developed by Lynker, using CRAM modeling system to include additional demands and return flows in six basins.
- E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
1. Richard & Ronda Haggard, Major County, #2015-544
 2. H & H Equipment & Sales, LLC, Kingfisher County, #2017-503
 3. Charles & Janice Emmerich, Kingfisher County, #2018-576
 4. Border Sands, LLC, Jefferson County, #2018-587
- F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
1. Ming Dat Ngo and Trang Thi Diem Truong, Delaware County, #2018-584
- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
1. Martin Family Farm, LLC, Texas County, #2019-541
 2. Payton Sherman and Donna Sherman Revocable Trust dated March 28, 2003, Tillman County, #2019-547
- 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 Right to Use Groundwater:
None
- J. Consideration of and Possible Action on Applications to for Term Permits to Use Stream Water:
1. Wildhorse Water, LLC, Garvin County, #2019-045
- K. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
1. Dale & Deah Miller, Canadian County, #2019-044
- L. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Stream Water:
1. S & C Holdings, LLC, Bryan County, #1984-067B
- M. Consideration of and Possible Action on Dam and Reservoir Construction:
None

N. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: Wyoming Casing Service, Inc. DPC-0922
Operator: Keven Randol OP-2066
 - b. Licensee: All Out Pump Service and Drilling DPC-1025
Operator: William Bischoff OP-2299
2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses
 - a. Licensee: Squires Drilling, Inc. DPC-0183
Operator: Scotty Vanderwork OP-0479
 - b. Licensee: Able Environmental Drilling DPC-0746
Operator: Eric Haley OP-1698
 - c. Licensee: Yorks Pump Service, Inc. DPC-0428
Operator: Buck Scrivner OP-1954
 - d. Licensee: Yorks Pump Service, Inc. DPC-0428
Operator: Alvis York, Jr. OP-1955
 - e. Licensee: City of Elk City DPC-9010
Operator: Colter Sanders OP-2305

O. Consideration of and Possible Action on Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

None

P. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:

1. Marci A. Hyde, Town of Burlington, #FPA-820
2. Michael A. Jones, City of Cherokee, #FPA-821
3. Jerry L. Abbott, Jackson County, #FPA-822
4. Jerome L. McCalvin, City of Marlow, #FPA-823
5. Brian K. Henry, City of Perry, #FPA-824
6. Missy M. Richardson, Rogers County, #FPA-825

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

A. Staff Presentations and Public Comment on Amendments to Permanent Rules Proposed for Adoption During 2020.

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 for 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 21, 2020, meeting. The comment period for proposed amendments to chapters 5, 25, 30, and 35 is currently ongoing and will expire at the conclusion of the Board meeting on January 21, 2020. The proposed amended rules are expected to be scheduled for consideration and possible adoption or any other action by the Board at its February 18, 2020, meeting.

1. a. Summary of Proposed Amendments to Chapter 5 – Fees – Mr. Kent Wilkins

Subchapter 1. General Provisions

- 785:5-1-6. Stream water permit application and administration fees [AMENDED]
- 785:5-1-10. Groundwater application and administration fees [AMENDED]
- 785:5-1-11. Well driller and pump installer licensing fees [AMENDED]
- 785:5-1-16. Fees required in other matters [AMENDED]
- 785:5-1-21. Documentation Reviews Related Water Trapped in Producing Mines [NEW]

b. Questions and Discussion by Board Members

c. Public Comment

2. a. Summary of Proposed Amendments to Chapter 25 – Dams and Reservoirs - Mr. Wilkins

Subchapter 1. General Provisions

- 785:25-1-3. Violations and penalties [AMENDED]
- Subchapter 3. Responsibility, Classification and Design Standards
- 785:25-3-2. Owner's responsibility [AMENDED]
- 785:25-3-6. Minimum spillways performance standards [AMENDED]
- Subchapter 5. Applications and Approval of Construction
- 785:25-5-4. Additional report information [AMENDED]
- Subchapter 7. Post Approval Actions
- 785:25-7-7. Emergency action plans [AMENDED]
- Subchapter 9. Actions after Construction
- 785:25-9-1. Inspections of dams [AMENDED]
- 785:25-9-3. Correction of deficiencies (not creating imminent peril) [AMENDED]
- 785:25-9-5. Correction of deficiencies creating imminent peril [AMENDED]
- Appendix A. Jurisdiction of Board by Size and Hazard Classification [REVOKED]
- Appendix A. Jurisdiction of Board by Size and Hazard Classification [NEW]
- Appendix B. Minimum Spillway Performance Standards [NEW]

b. Questions and Discussion by Board Members

c. Public Comment

3. a. Summary of Proposed Amendments to Chapter 30 – Taking and Use of Groundwater - Mr. Wilkins

Subchapter 3. Permit Application Requirements and Processing

- 785:30-3-1. General application requirements [AMENDED]
- Subchapter 5. Groundwater Permits
- 785:30-5-5. Contents of permits [AMENDED]
- 785:30-5-7. Cancellation or suspension of permits [AMENDED]
- 785:30-5-9. Annual reports of water use [AMENDED]
- 785:30-5-10. Marginal water permits [NEW]
- Appendix D. Identified Springs that Emanate From a Sensitive Sole Source Groundwater Basin [REVOKED]
- Appendix D. Identified Springs that Emanate From a Sensitive Sole Source Groundwater Basin [NEW]

- b. Questions and Discussion by Board Members
- c. Public Comment

4. a. Summary of Proposed Amendments to Chapter 35 – Well Driller and Pump Installer Licensing – Mr. Wilkins

Subchapter 3. Licensing and Certifications

785:35-3-1.2. Military service occupation, education and credentialing [NEW]

Subchapter 11.Plugging and Capping Requirements for Wells and Test Holes

785:35-11-1. Plugging and capping requirements for groundwater wells, fresh water observation wells, heat exchange wells and water well test holes [AMENDED

- b. Questions and Discussion by Board Members
- c. Public Comment

05000 5. SPECIAL CONSIDERATION Chairman Stallings

- A. No items.
- B. Consideration of and Possible Action on Items Transferred from Summary Disposition Agenda, if any.

6. QUESTIONS AND DISCUSSION ABOUT AGENCY MATTERS AND OTHER ITEMS OF INTEREST Chairman Stallings

- A. Presentation and Discussion on Board Education Series - Update on Produced Water Initiatives. **Mr. Owen Mills**

7. NEW BUSINESS Chairman Stallings

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 Stallings

The next regular meeting of the Oklahoma Water Resources Board will be held on Tuesday, February 18, 2020, at 9:30 a.m., at the Oklahoma Water Resources Board offices located at 3800 N. Classen Boulevard, Oklahoma City, OK 73118