

A G E N D A
OKLAHOMA WATER RESOURCES BOARD

Regular Meeting

March 16, 2021
9:30 a.m.

3800 N. Classen Boulevard, Oklahoma City, OK 73118

This meeting will be held via videoconferencing or teleconferencing in compliance with the Open Meetings Act as amended by SB1031.

[HTTPS://ZOOM.US/J/97179192251](https://zoom.us/j/97179192251)

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WEBINAR ID: 971 7919 2251

If the meeting is disconnected, the meeting will recess, reconnect, and reconvene. Any executive session will be held via teleconference.

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 12, 2021 at 3:00 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

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- 01000** 1. **CALL TO ORDER** **Chairman Robert L. Stallings, Jr.**
- A. Roll Call.
- B. Discussion, Amendments, and Vote to Approve Official Minutes of the February 16, 2021, Special 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 State Loan Program Revenue Bond Loan Funding Application for Wellston Public Works Authority, Lincoln County. Recommended for Approval.

- B. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Hartshorne Public Works Authority, Pittsburg County. Recommended for Approval.
- C. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Rural Water, Sewer, Gas and Solid Waste Management District No. 4, Wagoner County. Recommended for Approval.
- D. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Cleveland Municipal Authority, Pawnee County. Recommended for Approval.
- E. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for McLoud Public Works Authority, Pottawatomie County. Recommended for Approval.
- F. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Shawnee Municipal Authority, Pottawatomie County. Recommended for Approval.
- G. Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds in an Aggregate Principal Amount not to Exceed \$250,000,000; at a Net Interest Cost not to Exceed Six Percent (6.0%); Providing for the Issuance of Said Bonds in One or More Series; Approving and Authorizing Execution of a Series 2021A Supplemental Bond Resolution and, if Deemed Advisable, an Additional Supplemental Bond Resolution for Each Additional Series; Waiving Competitive Bidding on the Bonds and Authorizing the sale Thereof by Negotiation and at a Discount Pursuant to the Terms of a Contract of Purchase Pertaining Thereto; Approving a Preliminary Official Statement with Respect to Said Bonds; Authorizing the Chairman or Vice Chairman to Deem Preliminary Official Statements for Additional Series of Bonds Final; Directing Deposit of Proceeds Derived from the Issuance of the Bonds in the State Treasury and Requesting the State Treasurer to Remit Such Proceeds to the Bond Trustee; Ratifying and Approving the Form of Promissory Note, Loan Agreement, and Note Purchase Agreement to be Executed by Borrowers in the State Loan Program; Authorizing Execution of Such Other and Further Instruments, Certificates and Documents as may be Required for the Issuance of the Bonds; Directing Payment of Costs of Issuance and Containing Other Provisions Relating to the Issuance of the Bonds. 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>
NODA				
a.	FAP-21-0002-R	Billings Public Works Authority	Noble	\$79,999.00
SWODA				
b.	FAP-21-0030-R	Gotebo Public Works Authority	Kiowa	99,250.00

D. Consideration of and Possible Action on the Contracts and Agreements:

1. No-Cost Amendment Agreement between OWRB and Office of the Secretary of Energy & Environment extending the budget/project period for the Clean Water Act OK FY18 604(b) Water Management Planning Program Grant.

2. No-Cost Amendment Agreement between OWRB and Office of the Secretary of Energy & Environment extending the budget/project period for supplemental appropriations for Disaster Relief.

3. Intergovernmental Agreement between OWRB and Central Oklahoma Master Conservancy District to provide services including routine water quality monitoring for Lake Thunderbird.

4. Agreement between OWRB and the Oklahoma Ground Water Association (OGWA) to provide continuing education services for well drillers and pump installers.

E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater: None

F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:

- 1. Noble Research Institute, LLC, Carter County, #2004-551
- 2. Price Farms, LLC, Beckham County, #2011-673

G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:

None

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:
 - 1. Price Farms, LLC, Beckham County, #1953-104A
- J. Consideration of and Possible Action on Applications for Term Permits to Use Stream Water:
 - 1. David Sewell, Washita County, #2020-016
- K. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
 - 1. Casey Kinchen, Grant County, #2020-018
- L. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Stream Water: None
- 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: Earls Well Service DPC-1033
 - Operator: Dustin Hatcher OP-2352
 - b. Licensee: Citation Drilling and Boring DPC-1035
 - Operator: Darrell Denton OP-2354
 - 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses
 - a. Licensee: Authentic Drilling DPC-0967
 - Operator: John Tegtmeier OP-2353
 - b. Licensee: Associated Environmental Drilling DPC-0269
 - Operator: Ben Book OP-2355
- O. 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, Creek County, #FP-2021-01
 - 2. Oklahoma Department of Transportation, Kingfisher County, #FP-2021-02
 - 3. Oklahoma Department of Transportation, Cherokee County, #FP-2021-04
- P. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:
 - 1. Frank Schaaf, City of Wilson, #FPA-003

04000 4. VOTING ON PROPOSED NEW AND AMMENDED PERMANENT RULES OF THE BOARD

- A. Rules Amendments recommended for adoption in Chapter 45 – Oklahoma's Water Quality Standards
 - 1. Summary – **Mr. Bill Cauthron**
 - Subchapter 5. Surface Water Quality Standards
 - 785:45-5-19. Aesthetics [AMENDED]

785:45-5-25. Implementation Policies for the Antidegradation Policy Statement
[AMENDED]

2. Questions and discussion by Board Members
3. Vote on whether to approve recommended amendments as presented or as may be revised after discussions.

B. Rules Amendments recommended for adoption in Chapter 46 – Implementation of Oklahoma's Water Quality Standards

1. Summary – **Mr. Bill Cauthron**

Subchapter 15. Use Support Assessment Protocols
785:46-15-14. Assessment of Aesthetics Support [AMENDED]

2. Questions and discussion by Board Members
3. Vote on whether to approve recommended amendments as presented or as may be revised after discussions.

05000 5. SPECIAL CONSIDERATION

Chairman Stallings

A. Consideration of and Possible Action in the Matter on Application for Regular Permit to Use Groundwater No. 2018-581, Benjamin Lee Bison, LLC, Beckham County:

1. Summary – **Mr. Chris Neel**

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. 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.

7. ADJOURNMENT

Chairman Stallings

The next regular meeting of the Oklahoma Water Resources Board will be held at 9:30 a.m., on April 20, 2021.

3/12/2021