

2nd REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

September 13, 2011

8:30 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 September 9, 2011 at 3:30 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 Linda Lambert**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the August 9, 2011, Regular Meeting.
 - D. Executive Director's Report. **Mr. J.D. Strong**
 - E. 1. Monthly Budget Report **Ms. Amanda Storck**
 - 2. *Discussion of Annual Budget Request, Components and Estimated Adjustments from Draft Water Plan Recommendations* **Item added**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Owasso Public Works Authority, Tulsa County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Muldrow Public Works Authority, Sequoyah County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Glenpool Utility Services Authority, Tulsa County. Recommended for Approval.

- D. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application and State Loan Program Revenue Bond Loan Funding for Broken Arrow Municipal Authority, Tulsa County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Lambert

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.P., 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. Memorandum Agreement with Foss Reservoir Master Conservancy District and USGS for water monitoring and data collection.
- 2. Joint Funding Agreement with the USGS for the Update of the Hydrologic Surveys and Groundwater Flow Models of the Beaver-North Canadian River Alluvial Aquifer.
- 3. Professional Services Contract with James D. Leewright for drafting services related to the update of the Oklahoma Comprehensive Water Plan, and graphic media as well as the planning, design, layout, and publishing coordination of related in-house and contracted publications.
- 4. Resolution Authorizing a Grant Agreement with U.S. Department Of Homeland Security, Federal Emergency Management Agency for Funding for Dam Safety Program including but not limited to Dam Inspections and Development of Emergency Action Plans for Dams; Authorizing Approval and Execution of Final Agreement and Such Other and Further Documents as May Be Required for the Funding; and Containing Other Provisions Relating Thereto.

5. No-Cost Extension of Agreement with Camp Dresser & McKee, Inc. titled “Practitioner Tools to Predict Runoff and Reservoir Yield Under Climate Change Conditions” in support of the update to the Oklahoma Comprehensive Water Plan.
 6. Intergovernmental Agreement between the Oklahoma Water Resources Board and The Board of Regents of the University of Oklahoma by and through University Outreach/College of Continuing Education’s Forum & Conference Services for Hosting FY2012 Floodplain Management Course and Workshops.
- E. Applications for Temporary Permits to Use Groundwater:
1. Wayne & Dona Caulder, Major County, #2011-570
 2. Garland & Alma Dene Jones, Harmon County, #2011-573
 - 3. *Gerald R. Garrett Revocable Trust, Blaine County, #2011-574 Item withdrawn*
 - 4. *Gerald R. Garrett Revocable Trust, Blaine County, #2011-575 Item withdrawn*
 5. Gary & Mitzie Mol, Caddo County, #2011-576
 6. Larry & Annys Brantley, Grady County, #2011-581
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. Werner & Verena Buchmann Revocable Living Trust, Kingfisher County, #1974-362
 2. Brent Mefford & Carrie Boothby, Jackson County, #1984-536
- G. Applications for Regular Permits to Use Groundwater:
- 1. *Tillman County RWD No. 1, Tillman County, #2011-520 Item withdrawn*
 - 2. John Brent Cassidy Trust, Tillman County, #2011-545
 - 3. Karl & Ryan Jett, Beaver County, #2011-563
 - 4. Tommy & Ramona Schilling Revocable Trust, Beaver County, #2011-569
 - 5. Hal Nine, Beaver County, #2011-578
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Joe Carroll & Mary Leonene Gribble, Texas County, #1976-680
 2. Barbara F. Kenney, Cimarron County, #2009-526
- I. Applications for Regular Permits to Use Stream Water:
1. Phillips Farms, L.L.C., Muskogee County, #2011-032
 2. Larry & Judy Dyson, Bryan County, #2011-034
 3. James Hahn & Nancy Webster, Greer County, #2011-035
- J. Applications to Amend Regular Permits to Use Stream Water:
None
- K. Applications for Term Permits to Use Stream Water:
None
- L. Reductions/Cancellations of Stream Water Rights:
None
- M. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: Cody’s Pump Service

DPC-0835

- 1. Operator: Cody Mooter OP-1852
 Activities: Pump installation *corrected*
- b. Licensee: Dylan Frizzell DPC-0833
- 1. Operator: Dylan Frizzell OP-1850
 Activities: Pump installation
- c. Licensee: Jared Sisk Inc. dba JSI Drilling DPC-0837
 Operator: Jared Sisk OP-1854
 Activities: Groundwater wells, test holes and observation wells

- 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
 - a. Licensee: Steve Harrison Water Well Drilling DPC-0818
 - 1. Operator: Brady Harrison OP-1853
 Activities: Groundwater wells, test holes and observation wells
 - b. Licensee: Cope's Irrigation DPC-0039
 Operator: Ricky Jett OP-1855
 Activities: Pump installation

- N. Dam and Reservoir Construction:
 - 1. Esperanza Owners Association, Oklahoma County, #OK02409

- O. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
 - 1. Oklahoma Department of Transportation, Tulsa County, #FP-11-28
 - 2. Oklahoma Department of Transportation, Comanche County, #FP-11-29
 - 3. Oklahoma Department of Transportation, Beckham County, #FP-11-30

- P. Applications for Accreditation of Floodplain Administrators:
 Names of floodplain administrators to be accredited and their associated communities are individually set out in the September 13, 2011 packet of Board materials

04000 4. 2012 UPDATE TO OKLAHOMA COMPREHENSIVE WATER PLAN.

Mr. Kyle Arthur

- A. Overview of Public Discussion Draft of Executive Report of 2012 Update of Oklahoma Comprehensive Water Plan, and Summary of Revisions to Priority Recommendations and Supporting Recommendations and Initiatives
- B. Summary and Discussion of Written Comments to Public Discussion Draft of Executive Report and Draft Watershed Planning Region Reports
- C. Public Comments – time allotment for speakers to be determined **Chairman Lambert**
- D. Discussion and Possible Action to Revise Public Discussion Draft of Executive Report, Draft Watershed Planning Region Reports and Other Components of the Draft 2012 Update of the Oklahoma Comprehensive Water Plan

05000 5. SPECIAL CONSIDERATION

Chairman Lambert

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

06000 6. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY

Chairman Lambert

7. PROPOSED EXECUTIVE SESSION

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 Tarrant Regional Water District v. Herrmann, and City of Hugo v. Nichols (underlined italics added)*

- 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.

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

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

9. Discussion of Desire or Need to Continue or Recess and Reconvene Meeting, and Announcement of Date, Time and Place of Continued or Reconvened Meeting, if Scheduled. **Chairman Lambert**

10. **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.

11. **ADJOURNMENT** **Chairman Lambert**

The next regularly scheduled meeting of the Oklahoma Water Resources Board will be on Monday, October 17, 2011, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK.

2011 Annual Governor's Water Conference and OWRRI Research Symposium,
October 18-19, 2011, Embassy Suites Hotel and Conference Center, Norman, OK

9/9/2011