

# OKLAHOMA WATER NEWS

*Bimonthly Newsletter of the Oklahoma Water Resources Board*



Duane A. Smith

*from  
the desk  
of the  
Director*

In this session of the Legislature, the Board will consider requesting an appropriation on behalf of the Oklahoma Commissioner, Les Kamas of Freedom, to the Canadian River Compact for litigation to address problems created by Texas' construction of Palo Duro Dam. After several years of unsuccessful discussions and negotiations, we will recommend litigation to the Governor and Attorney General.

In 1990, the Palo Duro River Authority constructed a reservoir on Palo Duro Creek in Hansford County, Texas, about 12 miles upstream from the Texas-Oklahoma line. Palo Duro Creek is a tributary of the Beaver-North Canadian River, so apportionment of its waters is governed by the Canadian River Compact administered by the Canadian River Commission.

Oklahoma has opposed construction of Palo Duro Reservoir because we believe it violates the Canadian River Compact in two major areas. We contend that it fails to protect the existing uses of the river in Oklahoma, specifically, Oklahoma City's Canton Reservoir water supply and the water supply of Woodward and other towns drawn from the alluvium and terrace of the Canadian River. Further, the reservoir's only current use is recreation, a use not authorized by the Compact.

The Oklahoma Commissioner and PWRB initially refrained from pressing the issue with Texas due to litigation concerning Ute Reservoir brought by Texas and Oklahoma against New Mexico.

*Continued on page 2*

## Ceremony at Montgomery Point Marks Beginning of Construction

At a ceremony near Dumas, Arkansas, December 3, some 250 supporters of the Montgomery Point Lock and Dam witnessed a ground breaking ceremony for the 18th lock and dam on the Arkansas River Navigation System. The new structure will be built on the White River, six-tenths of a mile from its confluence with the Mississippi River near Rosedale, Mississippi.

The ceremony was held in a large tent under grey skies and fog that precluded attendance by some speakers who had scheduled helicopter transportation. Mike Melton, assistant to the director, attended the ceremony on behalf of the Water Resources Board.

"During the navigation system's 26-year life, navigation and flood

control projects upstream on the Mississippi River have narrowed the channel of the river, causing it to scour the riverbed 10 feet deeper than when the system was built," Melton pointed out.

The system was intended to operate with the river's elevation no lower than 110 feet above sea level. However, in recent years, the system has been plagued with chronic low-water problems. Frequent dredging due to sediment buildup at the confluence was necessary to keep the first 10 miles of the navigation system open for barges. The Corps of Engineers feared continued dredging eventually would have undercut the Norrell Lock and Dam 10 miles upstream.

*Continued on page 2*



Participants in the ground breaking ceremonies for Montgomery Point Lock and Dam examine commemorative coins cast for the occasion. Pictured left to right: Bob Portiss, director, Port of Catoosa; Doug Sickle, project manager, J.A. Jones/Guy F. Atkinson Construction Companies; Col. Daniel R. Holzwarth, commander, Southwestern Division, Corps of Engineers; Wally Gieringer, former director, Port of Pine Bluff; Dr. John Zirschky, acting Assistant Secretary of the Army for Civil Works; Arkansas Congressman Jay Dickey; Maj. Gen. Russell Fuhrman, director of Civil Works, U.S. Army Corps of Engineers; and Col. Scott Morris, Little Rock District Engineer.

**Ground Breaking continued from page 1**

There are no dams on the lower White River which links the Mississippi River to the Main Stem of the Arkansas River. When the Mississippi gets low, so too, does the White River.

The new lock and dam is expected to correct chronic low flows that have troubled the White River entrance channel and reduce the need for dredging by 90 percent.

Construction will not hinder barge traffic on the 445-mile long system that ends at Catoosa.

Montgomery Point consists of three main sections, a 300-foot navigable pass with bottom-operated torque tube gates, a 110-foot x 600-foot



Montgomery Point L&D will be built on the White River, six-tenths of a mile from its confluence with the Mississippi.

lock, and a 200-foot overflow spillway. The dam is designed to maintain the navigation pool in low water conditions. As Mississippi River levels fall below the 115-foot elevation, the 13-foot tall pass gates will be raised to maintain navigable depths upstream of the dam. When the gates are in the raised position, vessels will use the lock chamber.

"The design is unique -- unlike any other lock and dam in the world, the Corps tells me," said Melton. He said except for the control tower and floating guide walls, the lock and dam is completely below the top banks of the channel and are submerged during high flows.

John Pearson, vice-chairman of the Arkansas River Basin Coalition, said "Concern for the river and adjacent wetlands prompted a careful environmental study. Construction of this low-water dam will neither hold water above the existing river banks nor flood the surrounding habitat. It will simply reestablish the historical water elevation," he pointed out.

Construction could be finished as early as Spring 2002 at a cost of approximately \$250 million. □

**Director, continued from page 1**

For three years, Oklahoma has become increasingly concerned. In 1995, the City of Oklahoma City funded a Corps of Engineers study which showed that state line flows from Palo Duro Creek had decreased significantly since construction of Palo Duro Reservoir.

The exact impacts of Palo Duro on Oklahoma water supplies will need more study. In the meantime, I believe Oklahoma should seek a judicial declaration that Texas is in violation of the Compact. This will prevent Texas from constructing another reservoir on Wolf Creek, which feeds Fort Supply Reservoir in Woodward County, then flows to the North Canadian and Canton Reservoir.

We will continue to discuss the matter with Texas officials, but we believe we need to protect Oklahoma's water supplies through litigation if necessary.



**Hook Employee of the Quarter**

Executive Director Duane Smith presented the Employee of the Quarter Award to Jann Hook, head of the OWRB Information Services Section.

Hook joined the agency in 1980 while attending UCO at night to earn a degree in computer science in 1982.



Duane Smith and Jann Hook

Hook guided the development of the Data Processing section from the time the agency owned one bulky micro-processor until the present, when there is a personal computer or workstation on every desk.

Smith pointed out that Hook had worked tirelessly after the 1995

bombing to restore agency data and the computer network. She compiled the agency inventory to replace damaged furniture and computers and was instrumental in coordinating the design and decor of work space in the new building.

Hook is OWRB representative to the state GIS Council and founder of the Oklahoma Chapter of the South Central ARC/Info Users Group.

**Well Measurement Underway**

The Water Resources Board's annual well measurement program got underway in the Panhandle January 12 and will continue eastward until 750 wells have been measured statewide. The announcement was made by Mark Belden, OWRB hydrogeologist who oversees the program. Belden, Gary Glover, Gene Doussett and Kent Wilkins of the Planning and Management division will measure 250 wells in Cimarron, Texas and Beaver Counties in the early weeks of the program.

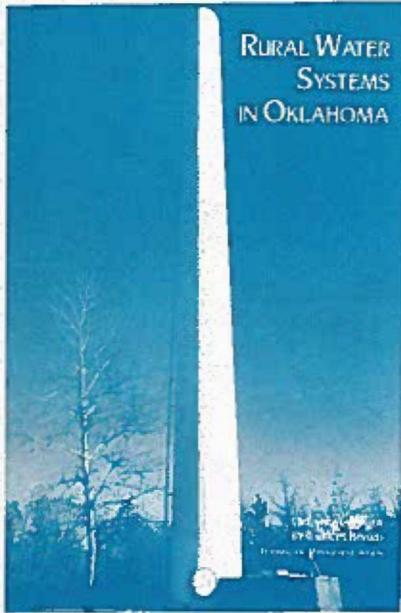
Data is collected between January 12 and March 31, when irrigation wells are shut down and water levels are static. The program monitors trends in groundwater levels over a long period of record. Information is used to generate maps which depict saturated thickness, depth to water and change in water level. Maps are used by federal and state agencies, groundwater consultants, water well drilling contractors and land/well owners.



Mike Melton, assistant to the director, and Mary Schooley, executive secretary, enjoy looking at toys donated to the annual Salvation Army toy drive by OWRB employees in December. According to Schooley, 40 toys were collected again this year, the same number contributed in the 1996 effort.

## New Book Available March 1

The update of the "Rural Water Systems in Oklahoma" will be available March 1. The book mapping the state's 726 rural water systems is the



first to utilize so extensively the agency's Geographic Information System (GIS) and computer graphic resources.

It contains a directory of water systems, 78 county maps, glossary and other text. Each map displays water system boundaries, location and size of lines, pumps, storage and treatment facilities.

"Rural Water Systems in Oklahoma" will be available at the OWRB in Oklahoma City for \$15; \$20 by mail. For information, call 405-530-8800.

## Legislators to Ready CAFO Regulations

Governor Keating welcomed the recommendations of the Animal Waste and Water Quality Task Force on December 1 and asked legislative leaders to take steps necessary to fast-track legislation on this high priority issue. The report was the product of seven months' work by the task force chaired by Secretary of Environment Brian Griffin.

Senate President Pro Tempore Stratton Taylor and House Speaker Loyd Benson named a joint legislative task force to put the most pressing issues on the fast track.

Governor Keating told legislative leaders that "any revisions as a result of the report will have to walk the fine line between ensuring a viable agricultural economy while protecting the state's water quality needs into the next century."

Among more than 75 recommendations were proposals to toughen regulation of the hog industry and, for the first time, set in place regulations governing eastern Oklahoma's poultry industry. A poultry bill is expected to spell out corporate responsibilities, require operator certification, licensing of poultry feeding operations and specific rules for storage and land application of litter.

Other recommendations would allow county-option votes on whether residents want CAFOs in their counties and delay new CAFO licenses until counties can vote. Responsibility

for oversight of CAFOs would remain with the Oklahoma Department of Agriculture, but new teeth in the laws, expanded inspection programs and a bigger enforcement budget are proposed to bring operators of hog and poultry farms into compliance.

Early in December, Governor Keating issued an executive order granting state agriculture inspectors the right to make surprise inspections. The executive order also requires the Department of Agriculture to study odor abatement plans and set criteria to be considered by the legislature in April.

Other measures are expected to deal with waste storage, lagoon construction, land application of litter and liquid wastes, set-backs from residences and myriad other issues involving burgeoning hog and poultry industries.

Senate President Pro Tempore Stratton Taylor named Senator Kevin Easley co-chairman and appointed to the committee Senators Owen Laughlin, Paul Muegge, Bruce Price, Frank Shurden, Rick Littlefield, Herb Rozell, James Williamson and Kathleen Wilcoxson.

Speaker Loyd Benson appointed Rep. Larry Rice co-chairman of the Joint Legislative Committee on Animal Waste and Water Quality and Reps. Larry Adair, Jack Begley, Jack Bonny, Frank Davis, Jim Glover, Danny Hilliard, Joe Hutchison, M.C. Leist, Elmer Maddux, Mike Thornbrugh, Dale Turner and Don Weese as members. □

## Water Resources Board Announces 23 REAP Grants in January

The Water Resources Board approved more than \$2.1 million in Rural Economic Action Plan (REAP) grants at the January 13 meeting. REAP is an initiative to fund water and wastewater improvements in Oklahoma's small communities that are unable to secure financial assistance from traditional funding sources. The 1996 legislation also authorized funding for roads and bridges and other infrastructure projects recommended by the substate planning districts.

According to Joe Freeman, chief of the Financial Assistance Division, "REAP is assisting small entities in precisely the manner the legislature intended." Assistance is directed to small towns and unincorporated areas with populations of 7,000 or less, however priority is awarded to entities of 1,500.

The Board approved grants for communities listed on the right.

|   |           |
|---|-----------|
| Calumet Public Works Authority, Canadian County .....       | \$150,000 |
| Medicine Park Public Works Authority, Comanche County ..... | 98,785    |
| Wayne Public Works Authority, McClain County .....          | 81,399    |
| Rural Water District #3, Grady County .....                 | 78,852    |
| Rural Water District #4, Pawnee County .....                | 95,000    |
| Town of Sasakwa, Seminole County .....                      | 140,000   |
| Rural Water District #9, Cherokee County .....              | 99,900    |
| Ramona Public Works Authority, Washington County .....      | 95,000    |
| Oologah Municipal Authority, Rogers County .....            | 150,000   |
| Evergreen Rural Water District #18, Osage County .....      | 100,000   |
| Rural WSG&SWM District #14, Pittsburg County .....          | 89,900    |
| Kiowa Public Works Authority, Pittsburg County .....        | 130,000   |
| Town of Meno, Major County .....                            | 77,100    |
| Rural Water District #5, Garfield County .....              | 100,000   |
| Kremlin Public Works Authority, Garfield County .....       | 59,999    |
| Rural Water District #2, Dewey County .....                 | 61,000    |
| Town of Gage, Ellis County .....                            | 47,259    |
| Town of Arnett, Ellis County .....                          | 35,000    |
| Town of Freedom, Woods County .....                         | 32,552    |
| Dougherty Public Works Authority, Murray County .....       | 91,000    |
| Town of Oakland, Marshall County .....                      | 96,000    |
| Martha Utility Trust, Jackson County .....                  | 109,800   |
| Burns Flat Utility Authority, Washita County .....          | 98,400    |

# THE FLOOD CURRENT

JANUARY - FEBRUARY 1998

## Certification Enhances Floodplain Management

Report from Ken Morris, Oklahoma NFIP Coordinator



Ken Morris

The Board's National Flood Insurance Program is well into another federal fiscal year and the Federal Emergency Management Region IV Headquarters

continues to support our efforts. At the year's end review meeting, we chose as an important initiative pursuit of a State Hazard Mitigation Fund to assist communities purchase properties that have a history of repetitive flood loss. Many communities cannot afford the matching money required to take advantage of the federal programs. The Oklahoma Floodplain Managers Association (OFMA) intends to study the successful state hazard mitigation program in place in Arkansas and consider it a model in crafting legislation.

The Oklahoma Department of Civil Emergency Management has a state disaster assistance fund for emergencies not eligible under federal guidelines, but the program excludes personal property losses. The ODCEM probably would be the administrator if such a state fund were established. Oklahoma was spared major floods this last year, with only isolated storms inflicting damage in Elgin, portions of Comanche County, Tipton and Cherokee. Had a state hazard mitigation fund been in place, structures could have been retrofitted or moved to higher ground.

A certification program for floodplain managers grew out of the Annual OFMA Conference in September. Requirements for certification include two years experience, eight continuing education credits, a completed application and a passing test score.

Certification sets standards and recognizes the professionalism of state floodplain management administrators. Oklahoma is one of only three states that have certification programs. The Association of State Floodplain

Managers is also preparing a national program to certify floodplain managers. The ASFPM's Professional Development Committee met in Denton, Texas, in December to work on such a national program for the certification of floodplain managers. The Committee established a code of ethics, set out responsibilities of the ASFPM Board of Directors and Certification Board of Regents, identified experience requirements, recognized state programs, established testing and continuing education requirements and other program details.



Donetta Blanlot, OFMA chair signs a certification document.

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Oklahomans working on the ASFPM certification task force are Jo Remondini, Tulsa District Corps Engineers; Pat Hoggard, City of Tulsa; Diane Calhoun, FEMA Region VI, and Ken Morris, Oklahoma Water Resources Board. The ASFPM certification will recognize floodplain managers in states that have no certification programs.

January 12-16, FEMA and OFMA hosted a week-long course entitled "Managing the Nation's Floodplains" at the OU Center for Continuing Education on the Norman campus. Approximately 30 floodplain managers attended this course, until last year offered only at the National Emergency Training Center in Emmitsburg, MD.

Additionally, FEMA is working on a home study course to be available next year that will make the training more accessible to even more floodplain administrators.

In this new year, I ask Oklahoma's floodplain administrators to continue their conscientious efforts in permitting to safeguard lives and property in Oklahoma. □



Ken Morris, NFIP Coordinator explains the importance of preparing for floods to Rebecca Miller of Putnam City West High School at the Career Day held at MetroTech in Oklahoma City, November 12.

**Certification Exam March 5**

Carolyn Schultz, treasurer of the FMA and member of the Professional Development Certification Committee (PDCC), announces that the Oklahoma examination for the Certification of Floodplain Managers will be administered at the OFMA Spring Technical Conference. The conference will be held March 5 at the State Office Building 440 South Houston, Tulsa. Registrants for the Spring Conference who are interested in taking the certification exam are invited to sign up at the time of registration. Registration for the conference is free, but there is a \$10 fee for the examination. To reserve a test, please call Carolyn Schultz at (918) 669-4919. The first meeting of the PDCC was held in October, at which time T.J. Davis was appointed chairman; Jack Graham, vice-chairman; and Jack Graham, secretary. Members include Carolyn Schultz, Ken Morris, Joe Mondini and Pat Hoggard.

According to Schultz, all 18 OFMA members who took the certification test at the Fall Conference passed.

**NFIP Announces ICC Coverage**

The National Flood Insurance Program (NFIP) recently modified the Standard Flood Insurance Policy to include coverage aimed at reducing the financial burden to elevate, floodproof, demolish or relocate damaged homes and bring them into compliance.

Increased Cost of Compliance (ICC) coverage provides for the payment of a claim to help cover the cost to comply with the community floodplain management ordinance after a flood in which a building has been declared substantially or repetitively damaged. ICC will help pay the costs up to a maximum benefit of \$15,000.

ICC coverage is additional to the building coverage for the repair of actual physical flood damages under the Standard Flood Insurance Policy. All policies issued or renewed after June 1, 1997 included ICC. Excluded are buildings insured under the Group Flood Insurance Policy or the Condominium Unit Owner Policy. Buildings located in emergency NFIP communities are excluded from ICC coverage.

Standard Flood Insurance Policies will increase in cost depending on flood risk zone and amount of coverage.

For more information on ICC, policyholders may call NFIP at 1-800-427-661. Community officials may call Ken Morris at 405-530-8800.

# Mitigation Built on Partnerships

*An open letter to Oklahoma's emergency and floodplain managers from Fred W. Liebe, Recovery and Mitigation Division Chief, Oklahoma Department of Emergency Management:*

As you know, many Oklahoma communities of moderate to large size are fortunate to have separate individuals to direct emergency (civil defense) and floodplain management activities. However, in many areas of the state, communication between these two offices has been less than ideal. As a result, mitigation and response to flooding events, Oklahoma's most prevalent disasters, occasionally suffer. It is obvious that we must strengthen partnerships between the emergency manager and floodplain manager, two disciplines which must go hand-in-hand for either to be effective.

Developing and nurturing these partnerships through communication is the task now before us if we are to efficiently mitigate the multitude of damages frequently caused by flooding in Oklahoma. Partnerships must be established when the threat of flooding is distant and the ultimate purpose of vital regulations, such as zoning and building permits and related controls to guide floodplain development, may appear abstract. In times of disaster, the value of communication and the partnerships fostered by communication become evident. The result is reduced threat to life and property and better response to various citizen needs which arise in the wake of floodwaters.

Floodplain management is an intricate part of mitigation, whether it be at the city, county or state level. Mitigation must be considered long before an emergency occurs. It includes all activities aimed at elimi-

## **Mitigation is the initial phase of the emergency management process**

nating or reducing the probability of occurrence of an emergency or disaster as well as activities designed to postpone, dissipate, or lessen the effects of a disaster or emergency. Mitigation includes the purchase of flood insurance, development and enforcement of building codes and local land use ordinances; and removal of debris from drainage channels. Whatever action is taken, it must be taken in an enthusiastic spirit of partnership that compliments other ongoing community activities and result in long-lasting benefits.

To assist both emergency and floodplain management officials in assessing flood damage and associated community repair costs, FEMA has developed a computer program entitled "Residential Substantial Damage Estimator; Guidance on Estimating Substantial Damage," now available on loan from the OWRB. I urge you to establish that mitigation partnership with your local floodplain management official. Your community will benefit from this alliance. □

## **How to Survive a Community Assistance Visit**

Floodplain administrators need to know all about Community Assistance Visits (CAVs) conducted by FEMA or state emergency management officials to monitor a community's progress in implementing local programs.

Take these helpful hints to survive:

1. Make local regulations consistent with FEMA criteria.
2. Enforce local regulations.
3. Review all development permits to determine if a flood hazard exists.
4. Ensure elevation of new structures above the 100-year base flood elevation and that structures are floodproofed.
5. Keep records of elevations of the lowest first floor (including basement), elevations of floodproofed buildings,

number of permits and variances issued in flood hazard areas; and number of permits issued for filling, dredging and other alterations above the 100-year floodplain.

6. Be prepared to produce these records.

7. Inspect developments to verify "as-built" elevations.

8. Perform regular inspections to determine if structures have been altered or substantially improved.

9. Require a No-Rise Certificate for any encroachments in the floodway in the community.

Failure to accomplish any of these tasks probably would cause your community to receive an unsatisfactory report and perhaps result in suspension from the NFIP. □

## At the January 13 Board Meeting:

The meeting was called to order by Board Chairman Ross Kirtley at 9:30 a.m. In his remarks, Executive Director Duane Smith told the Board he would like to introduce key members of the staff. He introduced Terri Sparks, Brian Vance, Cecil Bearden and Nathan Kuhnert of the Planning and Management Division and said that he would like to make such recognition a regular feature of his remarks. Smith reminded Board members that the agency would host a reception for legislators at the Capitol February 10, with the Board meeting to follow at 1:30 p.m. at OWRB offices.

Joe Freeman, Financial Assistance Division chief, received Board approval of an emergency grant to Kremlin Public Works Authority and loans to Wagoner County RWD #9, Garfield County RWD #5, Choctaw County RWSD District #1 and Osage County RWD #18. On the summary disposition agenda, the Board approved 23 Rural Economic Action Plan grants totaling more than \$2.1 million.

On the Planning and Management agenda, Division Chief Mike Mathis won approval of two regular permits, four temporary permits and amendment of two temporary groundwater permits. Drillers/Pump Contractors' licenses were approved for Tom Nowak, K&M Shillingford, Inc. and Joe Edd Helms. Stephen C. Foster, Jr., Associated Environmental Industries Corp., and Garry Moyers, Anderson Engineering Consultants, Inc., were certified for construction of monitoring wells and geotechnical borings.

Protestants asked but were denied reconsideration of a groundwater permit issued to Pig Improvement Co., Kingfisher County. Representatives of Cimarron City asked their application be tabled. Logan County RWD #1 requested use of 400 acre-feet of groundwater, but a protesting landowner said he feared saltwater intrusion from improperly plugged oil and gas wells nearby if the proposed

well drew down the groundwater table. A motion to table the permit failed on a tie vote, then a vote to approve also tied, effectively tabling action on the permit until the February Board meeting.

Two regular and four temporary applications for groundwater use which had been protested were approved; one with a special condition that effluent would not be applied near the wellhead by a sprinkler irrigation system.

### FINANCIAL ASSISTANCE PROGRAM UPDATE

Approved at January 1998  
Board Meeting

#### FAP Loans

4.422% 1997 Bonds, 30-year maximum term

|                                 |    |              |
|---------------------------------|----|--------------|
| Wagoner County RWG&SWMD#9 ..... | \$ | 2,845,000.00 |
| Garfield County RWD#5 .....     | \$ | 740,000.00   |
| Choctaw County RWD#1 .....      | \$ | 685,000.00   |
| Osage County RWD#18 .....       | \$ | 185,000.00   |

#### SRF Loans

None

#### Emergency Grants

|                   |    |           |
|-------------------|----|-----------|
| Kremlin PWA ..... | \$ | 65,000.00 |
|-------------------|----|-----------|

#### TOTALS

|                 | FAP Loans        | SRF Loans        |
|-----------------|------------------|------------------|
| <b>APPROVED</b> | 195              | 66               |
| <b>Amount</b>   | \$250,590,000.00 | \$240,487,865.94 |
|                 |                  |                  |
|                 | REAP Grants      | Emergency Grants |
| <b>APPROVED</b> | 86               | 412              |
| <b>Amount</b>   | \$6,299,546.19   | \$23,199,919.32  |

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