

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

November 1, 2017

3:30 p.m.

Embassy Suites Hotel and Conference Center, Sooner Room,
2501 Conference Drive, Norman, Oklahoma

Members of the Oklahoma Water Resources Board may gather at the Embassy Suites Norman Hotel and Conference Center to attend some or all of the 38th Annual Governor's Water Conference and Research Symposium activities being held there on October 31-November 1, 2017. On October 31, 2017, various Conference and Symposium programs will be held in Ballroom EF and Ballrooms GHIJ, ABCD, and University Ballrooms A-C from 8:00 a.m. through 5:00 p.m., followed by a reception. On November 1, 2017, the Conference and Symposium programs will be held in the same locations from 8:00 a.m. through 5:00 p.m. Luncheons will be held in Ballrooms EF 12:00 p.m. through 1:30 p.m. on both October 31 and November 1. No business will be discussed, and no action will be taken, by a majority of the OWRB members during any of the Conference and Symposium activities.

On November 1, 2017, at 3:30 p.m., the OWRB members will convene a regular meeting in the Sooner Room at the Embassy Suites to consider and possibly take action on the agenda items listed below.

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 October 27, 2017 at 4:35 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

-
- 01000**
- 1. CALL TO ORDER** **Chairman F. Ford Drummond**
 - A. Roll Call
 - B. Discussion, Amendments, and Vote to Approve Official Minutes of the October 10, 2017, Regular Meeting.
 - C. Executive Director's Report and possible discussion. **Ms. Julie Cunningham**
 - 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 Clean Water Funding Application for Weleetka Public Works Authority, Okfuskee County. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Coalgate Public Works Authority, Coal County. Recommended for Approval.
- C. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Porum Public Works Authority, Muskogee County. Recommended for Approval.
- D. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Choctaw Utilities Authority, Oklahoma County. Recommended for Approval.
- E. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Grand Lake Public Works Authority, Delaware County. Recommended for Approval.
- F. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Wilburton Public Works Authority, Latimer County. Recommended for Approval.
- G. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Alva Utility Authority, Woods County. Recommended for Approval.
- H. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Altus Municipal Authority, Jackson County. Recommended for Approval.
- I. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Waurika Lake Master Conservancy District, Jefferson County. Recommended for Approval.
- J. Consideration of and Possible Action on a Proposed Resolution Authorizing the Reallocation of Revolving Fund Revenue Bonds, Series 2015A Proceeds. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS

Chairman Drummond

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> |
|-----------------|------------------------|----------------------------------|---------------|---------------------------|
| INCOG | | | | |
| a. | FAP-14-0032-R | Barnsdall Public Works Authority | Osage | Change of Scope |

- D. Consideration of and Possible Action on Contracts and Agreements:
 - 1. Agreement between OWRB and the Office of the Secretary of Energy & Environment to complete water quality supplemental monitoring program under the Clean Water Act.
 - 2. Agreement Amendment between OWRB and Oklahoma Secretary of Energy and Environment to extend the project period for the reimbursement of monies for water management planning program.
 - 3. Joint Funding Agreement between OWRB and the U.S. Geological Survey to increase matching funds for the Continuation of the Data Collection and Water Monitoring Program FY18.
 - 4. Intergovernmental Agreement between OWRB and Oklahoma State University - Department of Zoology for water monitoring and sampling programs in coordination with other state environmental agencies.
 - 5. Agreement with Grant Thornton, L.L.P., for Escrow Verification Services in connection with the State Loan Program Revenue Bonds, Series 2017 C.
 - 6. Agreement between OWRB and Board of Regents of the University of Oklahoma to support the water and wastewater system infrastructure in Oklahoma by developing a customized data model with GIS web viewer, enhancing the web viewer functionality and developing new tools.
 - 7. Agreement between OWRB and Board of Regents of the University of Oklahoma to support the water and wastewater system infrastructure in Oklahoma by website hosting, providing maintenance and backup services to the GIS web viewer.

- E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
1. Dustin J. & L. Nicole Snow, Caddo County, #2013-570
 2. Chris & Ginger Klaassen, Blaine County, #2016-580
 3. Enid Municipal Authority, Major County, #2017-521
 4. Lawrence D. & Diva H. Withers, Caddo County, #2017-534
 5. Brent R. & Sheri L. White, Harmon County, #2017-544
 6. Darren Reimer, Major County, #2017-550
- F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
1. Keith A. Rasmussen Revocable Trust, Major County, #2014-638
 2. Metro Technology Centers #22, Oklahoma County, #2015-580
- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
1. James & Son Farms, Texas County, #2017-542
- H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
1. Devon Brakhage and Logan Brakhage, Cimarron County, #2014-569
- I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:
1. John E. & Markie Jo Repp, Caddo County, #1969-400
- J. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
1. Sessums Brooks Family, L.L.C., Hughes County, #2016-037
 2. Jimmy Curl, Kay County #2017-003
 3. Patrick Curl, Kay County, #2017-004
 4. George Harrington, Choctaw County, #2017-009
 5. Lacey & Diana Weger, Bryan County, #2017-015
 6. Michael Yost, Kingfisher County, #2017-033
 7. Anthony F. Stangl, Kingfisher County, #2017-038
- 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:
1. SCS-Cottonwood Creek Site #33, Canadian County, #OK01517
- M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
1. New Licenses and Operators:
 - a. Licensee: Major Drilling DPC-0993
 1. Operator: Zane Plumlee OP-2214
 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
 - a. Licensee: Associated Environmental Industries DPC-0269
 1. Operator: Matthew Harker OP-2212

b. Licensee: TXI Operations, L.P.
1. Operator: Kyle Grogan

DPC-0898
OP-2213

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, Tillman County, #FP-17-32
2. Oklahoma Department of Transportation, Atoka County, #FP-17-33
3. Oklahoma Department of Transportation, Muskogee County, #FP-17-34
4. Oklahoma Department of Transportation, Stephens County, #FP-17-37
5. Oklahoma Department of Transportation, Lincoln County, #FP-17-38
6. Oklahoma Department of Transportation, Jackson County, #FP-17-40
7. Oklahoma Department of Transportation, Blaine County, #FP-17-41
8. Oklahoma Department of Transportation, Harmon County, #FP-17-43
9. Pittsburg County RWD No. 14, Pittsburg County, #FP-17-75

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

1. James F. LeClair, CFM, Otoe-Missouria Tribe of Indians, #FPA-727
2. Thomas O. Parker, City of Stilwell, #FPA-728

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

A. No items.

05000 5. SPECIAL CONSIDERATION Chairman Drummond

A. Consideration of and Possible Action on Proposed Findings of Fact, Conclusions of Law and Board Order on Application to Amend Temporary Permit to Use Groundwater No. 2011-541, Dolese Bros. Co., Kay County:

1. Summary – **Mr. Kent Wilkins**
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 the Vici Public Works Authority’s Motion to Reconsider the Hearing Examiner’s Proposed Findings of Fact, Conclusions of Law and Board Order on Application to Amend Regular for Permit to Use Groundwater No. 2004-532, Vici Public Works Authority, Dewey and Woodward Counties:

1. Summary – **Mr. Kent Wilkins**
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 Motion to Reconsider as presented or as may be amended, or vote on any other action or decision relating to the Motion to Reconsider.

C. Contingent Upon the Action Taken on Item No. 5.B. above, Possible Consideration of and Action on the Hearing Examiner’s Proposed Findings of Fact, Conclusions of Law and Board Order on Application to Amend Regular for Permit to Use Groundwater No. 2004-532, Vici Public Works Authority, Dewey and Woodward Counties:

1. Summary – **Mr. Kent Wilkins**
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.

D. Consideration of and Possible Action on Items Transferred from Summary Disposition Agenda, if any.

6. NEW BUSINESS

Chairman Drummond

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 Drummond

The next regular meeting of the Oklahoma Water Resources Board will be held on Tuesday, December 19, 2017, at 9:30 a.m., at the Oklahoma Water Resources Board offices located at 3800 N. Classen Boulevard, Oklahoma City, OK 73118

10/27/2017