

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

January 16, 2018

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 11, 2018 at 5:00 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

01000 1. CALL TO ORDER Vice Chairman Jason Hitch

A. Roll Call

B. Discussion, Amendments, and Vote to Approve Official Minutes of the December 19, 2017, 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
2. Audit 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 Oklahoma City Water Utilities Trust, Oklahoma County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Vice Chairman Hitch

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-18-0005-R	Cherokee Development Authority	Alfalfa	\$79,999.00

- D. Consideration of and Possible Action on Contracts and Agreements:
 - 1. Agreement Amendment between OWRB and Office of the Secretary of Energy and Environment to have a no-cost time extension for reimbursement of monies for the water management planning program.
 - 2. Contract for Professional Services Agreement with HISINC, LLC., to prepare and present the National Flood Insurance Program training course for floodplain administrators and other duties as requested by the OWRB.
 - 3. Intergovernmental Agreement between OWRB and Central Oklahoma Master Conservancy District for water quality monitoring at Lake Thunderbird.
 - 4. Amendment Agreement between OWRB and Meshek & Associates, PLLC to provide professional engineering services in connection with Cooperating Technical Partnership Program Assistance for the creation and maintenance of Flood Hazard Data.
- 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:
None
- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
 - 1. No Water Farms, LLC, Cimarron County, #2017-541
 - 2. Stanley Lee & Charlotte Kay Hargrove, Major County, #2017-561
- H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
None

2018. The proposed amended rules are expected to be scheduled for consideration and possible adoption or any other action by the Board at its February 20, 2018 meeting.

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

Subchapter 1. General Provisions

785:5-1-1. Purpose [AMENDED]

785:5-1-2. Definitions [AMENDED]

785:5-1-3. Board to charge and collect fees [AMENDED]

785:5-1-6. Stream water permit application and administration fees [AMENDED]

785:5-1-7. Watercourse reclamation permit fee [REVOKED]

785:5-1-10. Groundwater application and administration fees [AMENDED]

785:5-1-14. Stream Water and Groundwater petition fees [AMENDED]

785:5-1-15. Fees for reproduction, maps and publications [AMENDED]

785:5-1-16. Fees required in other matters [AMENDED]

785:5-1-17. Loan application fees [AMENDED]

785:5-1-19. Request for Water Quality Standards site specific criteria fee [NEW]

785:5-1-20. Aquifer storage and recovery permit fees [NEW]

b. Questions and Discussion by Board Members

c. Public Comment

2. a. Summary of Proposed Amendments to Chapter 32 – Aquifer Storage and Recovery – Mr. Kent Wilkins

Subchapter 1. General Provisions [NEW]

785:32-1-1. Purpose [NEW]

785:32-1-2. Definitions [NEW]

Subchapter 3. Permit Application Requirements and Processing [NEW]

785:32-3-1. Requirement for permit [NEW]

785:32-3-2. Site-specific aquifer storage and recovery plan [NEW]

785:32-3-3. Well spacing [NEW]

785:32-3-4. Fees [NEW]

785:32-3-5. Acceptance of application for filing; when applications deemed withdrawn [NEW]

785:32-3-6. Notice of application [NEW]

785:32-3-7. Approval of application [NEW]

Subchapter 5. Aquifer Storage and Recovery Permits [NEW]

785:32-5-1. Contents of permits [NEW]

785:32-5-2. Withdrawal of stored water [NEW]

785:32-5-3. Annual reports [NEW]

785:32-5-4. Cancellation or suspension of permits [NEW]

b. Questions and Discussion by Board Members

c. Public Comment

3. a. Summary of Proposed Amendments to Chapter 45 – Oklahoma’s Water Quality Standards – Mr. Bill Cauthron

Subchapter 5. Surface Water Quality Standards

Part 5. Special Provisions

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

Subchapter 7. Groundwater Quality Standards

785:45-7-1. Scope and Applicability; Purpose [AMENDED]

Appendix E. Requirements for Development of Site-Specific Criteria for Certain Parameters [REVOKED]

Appendix E. Requirements for Development of Site-Specific Criteria for Certain Parameters [NEW]

b. Questions and Discussion by Board Members

c. Public Comment

4. a. Summary of Proposed Amendments to Chapter 46 – Implementation of Oklahoma’s Water Quality Standards – Mr. Bill Cauthron

Subchapter 13. Implementation of Antidegradation Policy

785:46-13-1. Applicability and scope [AMENDED]

785:46-13-4. ~~Tier 2 protection; maintenance and protection of high quality waters, sensitive water supplies, and~~ Sensitive Water Supply-Reuse and other Tier 2 waterbodies [AMENDED]

785:46-13-5. ~~Tier 3 protection; prohibition against degradation of water quality in outstanding resource waters~~ Tier 2.5 protection; maintenance and protection of high quality waters, sensitive water supplies, and other tier 2.5 waterbodies [AMENDED]

785:46-13-6. ~~Protection for Appendix B areas~~ Tier 3 protection; prohibition against degradation of water quality in outstanding resource waters [AMENDED]

785:46-13-7. Protection for Appendix B areas [NEW]

785:46-13-8. Antidegradation review in surface waters [NEW]

b. Questions and Discussion by Board Members

c. Public Comment

5. a. Summary of Proposed Amendments to Chapter 50 – Financial Assistance – Mr. Joe Freeman

Subchapter 1. General Provisions

785:50-1-2. Definitions [AMENDED]

Subchapter 5. Applications for Financial Assistance

785:50-5-1. Application form and required information [AMENDED]

785:50-5-2. Application verification and approval [AMENDED]

Subchapter 6. Water and Sewer Program Emergency Grants Requirements and Procedures [NEW]

785:50-6-1. Approval criteria [NEW]

785:50-6-2. Evaluation procedure for grant application [NEW]

785:50-6-3. Emergency grant priority point system [NEW]

785:50-6-4. Disbursement of grant funds [NEW]

Subchapter 7. Water and Sewer Program (~~Bond Proceed Loans and Emergency Grants~~ State Loan Program Revenue Bond) Requirements and Procedures

785:50-7-1. General procedures [AMENDED]

785:50-7-2. Approval criteria [AMENDED]

785:50-7-3. Evaluation procedures for grant applications [REVOKED]

785:50-7-5. Emergency grant priority point system [REVOKED]

785:50-7-7. Disbursement of funds [AMENDED]

Subchapter 8. Rural Economic Action Plan (REAP) Grant Program Requirements and Procedures

785:50-8-3. Application review and disposition [AMENDED]

Subchapter 9. Clean Water State Revolving Fund Regulations

Part 1. General Provisions

785:50-9-9. Definitions [AMENDED]

Part 3. General Program Requirements

785:50-9-21. Eligible project [AMENDED]

785:50-9-24. Intended use plan [AMENDED]

785:50-9-28. Pre-Application for funding [AMENDED]

785:50-9-29. Pre-Planning conference [REVOKED]

785:50-9-30. Planning documents [AMENDED]

785:50-9-31. Pre-Application conference [REVOKED]

785:50-9-33. Application for financial assistance [AMENDED]

785:50-9-35. Loan closing [AMENDED]

785:50-9-36. Refinancing construction loans [AMENDED]

785:50-9-37. Minimum assistance agreement conditions [REVOKED]

785:50-9-38. Construction phase [AMENDED]

785:50-9-39. Project changes [AMENDED]

785:50-9-40. Building phase submittal [REVOKED]

785:50-9-41. Progress payments [REVOKED]

785:50-9-42. Retainage [AMENDED]

785:50-9-43. Post Building phase responsibilities of the recipient [AMENDED]

785:50-9-44. Accounting [AMENDED]

785:50-9-45. Compliance with federal authorities [AMENDED]

Part 7. SRF Environmental Review Process

785:50-9-60. Requirement of environmental review [AMENDED]

785:50-9-61. Environmental information documents required by the Board [AMENDED]

785:50-9-62. Environmental impact statement review by the Board [AMENDED]

Subchapter 10. Drinking Water Treatment Revolving Loan Program Regulations

785:50-10-3. Terms and conditions [AMENDED]

Subchapter 11. Miscellaneous Provisions

785:50-11-4. Application fees [AMENDED]

785:50-11-5. Project completion, inspection and audit [AMENDED]

785:50-11-7. Approval and notification regarding certain proposed action of an eligible entity [REVOKED]

785: 50-11-10. Insurance requirements for loan recipients [AMENDED]

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

05000 5. SPECIAL CONSIDERATION

Vice Chairman Hitch

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

6. NEW BUSINESS

Vice Chairman Hitch

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

Vice Chairman Hitch

The next regular meeting of the Oklahoma Water Resources Board will be held on Tuesday, February 20, 2018, at 9:30 a.m., at the Oklahoma Water Resources Board offices located at 3800 N. Classen Boulevard, Oklahoma City, OK 73118

1/11/2018