

**FINAL AGENDA
OKLAHOMA WATER RESOURCES BOARD**

**January 16, 2024
9:30 A.M.**

3800 N. Classen Blvd., Oklahoma City, Oklahoma 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, 2024 at 3:00 p.m. A copy of this agenda is available on the OWRB website at Oklahoma.gov/owrb.

01000 1. CALL TO ORDER

Chairman Jennifer Castillo

- A. Roll Call.
- B. Discussion, Amendments, and Vote to Approve Minutes of the December 19, 2023, Regular Meeting.
- C. Executive Director’s Report and possible discussion: **Director Julie Cunningham**
 - 1. Calendar Items
 - 2. Legislative Update
 - 3. Agency Update
- D. Financial Update and Possible Discussion **Mr. Cleve Pierce**

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 the Minco Municipal Authority, Grady County, Oklahoma. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Muskogee Municipal Authority, Muskogee County, Oklahoma. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS

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. Emergency Grant Applications:
None.

2. 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-24-0091-R	Waukomis Works Authority	Public	Garfield	\$ 79,900.00

3. CWSRF Principal Forgiveness Loan Applications:
None.

4. DWSRF Principal Forgiveness Loan Applications:
None.

5. Sewer Overflow and Stormwater Reuse Municipal Grants (“OSG”)
None.

6. American Rescue Plan Act (ARPA) Grant Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>		<u>County</u>	<u>Amount Recommended</u>
a.	ARP-23-0196-G	Ochelata Authority	Utilities	Washington	\$ 999,330.50
b.	ARP-23-0088-G	Atoka Authority	Municipal	Atoka	\$ 1,000,000.00
c.	ARP-23-0108-G	City of Crescent, Oklahoma		Logan	\$ 1,000,000.00
d.	ARP-23-0057-G	City of Holdenville		Hughes	\$ 1,000,000.00
e.	ARP-23-0054-G	City of Lexington		Cleveland	\$ 1,000,000.00
f.	ARP-23-0065-G	City of McLoud		Pottawatomie	\$ 1,000,000.00
g.	ARP-23-0035-G	Rural Water District No. 3, Muskogee County, Oklahoma		Muskogee	\$ 1,000,000.00
h.	ARP-23-0075-G	Rural Water, Sewer, Gas, and Solid Waste Management District No.		Pittsburg	\$ 1,000,000.00

14, Pittsburg County,
Oklahoma

i.	ARP-23-0107-G	Town of Keota	Haskell	\$ 1,000,000.00
j.	ARP-23-0109-G	The Wright City Public Works Authority	McCurtain	\$ 1,000,000.00
k.	ARP-23-0111-G	The McAlester Public Works Authority	Pittsburg	\$ 2,000,000.00
l.	ARP-23-0012-DTG	Buckhorn Rural Water District No. 2, Murray County, Oklahoma	Murray	\$ 4,166,667.00
m.	ARP-23-0011-DTG	Arbuckle Master Conservancy District	Murray	\$ 6,250,000.00

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

1. Sponsored Research Agreement between the Board or Regents of the University of Oklahoma and the OWRB providing for the modernization and migration of OWRB Geospatial Resources.
2. Contract for Professional Services between HISINC, LLC and OWRB to administer, manage and implement floodplain administration training and other assignments as requested by OWRB.

E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:

1. Town of Breckinridge, Garfield County, 2023-511
2. Woolfolk Feeders, LLC, Harper County, 2023-536
3. Stable Group, LLC, LeFlore County, 2023-551
4. Weston and Carly Kay, Harmon County, 2023-579
5. Iron Horse Midstream, LLC, Grady County, 2023-593

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

1. David and Heather Friesen, Major County, 2014-543

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

1. Brent and Shawna Evans, Beaver County, 2023-561

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. Eric Edward and Paula Irene Miller, Major County, 1968-255B

J. Consideration of and Possible Action on Applications to for Term/Seasonal Permits to Use Stream Water:

None

K. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:

1. Duck Mecca, LLC, Rogers County, 2023-001

L. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Stream Water:

None

M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:

None

2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:

None

N. Consideration of and Possible Action on Dam and Reservoir Construction:

1. Penz Dam, #OK30625, Bryan County
2. Bull Pond No. 2, #OK30626, Garvin County
3. Jim Hall Lake, #OK10237, Okmulgee County

O. Consideration of and Possible Action on Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

None

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

1. Mark Anderson, Grady County, #FPA-841
2. Sheila Zerr, Noble County, #FPA-819
3. Jonathan Teague, Sequoyah County, #FPA-572

04000 4. PUBLIC HEARING ON PROPOSED NEW AND AMENDED PERMANENT RULES OF THE BOARD

Chairman Castillo

A. Staff Presentations and Public Comment on Amendments to Permanent Rules Proposed for Adoption During 2024

1. a. Summary of Proposed Amendments to Chapter 5 – Fees
Mr. Zachary Hollandsworth

Subchapter 1. General Provisions
785:5-1-9. Dam safety and inspection fees [AMENDED]

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

2. a. Summary of Proposed Amendments to Chapter 20 – Appropriation and Use of Stream Water – Mr. Chris Neel

Subchapter 13. Interference Conditions at Bureau of Reclamation Reservoirs [NEW]
785:20-13-1. Definitions
785:20-13-2. Lugert-Altus Reservoir
785:20-13-3. Tom Steed Reservoir
785:20-13-4. Notification of interference

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

3. a. Summary of Proposed Amendments to Chapter 25 – Dams and Reservoirs
Mr. Zachary Hollandsworth

Subchapter 3. Responsibility, Classification and Design Standards
785:25-3-2. Owner's responsibility [AMENDED]
785:25-3-6. Minimum spillways performance standards [AMENDED]
785:25-3-7. Minimum outlet conduit capacities [AMENDED]
Subchapter 5. Applications and Approval of Construction
785:25-5-1. Application and fee required [AMENDED]
Subchapter 7. Post Approval Actions
785:25-7-6. Notice of completion and filing of supplementary drawings or descriptive matter [AMENDED]
785:25-7-7. Emergency action plans
Subchapter 9. Actions After Construction
785:25-9-1. Inspection of dams [AMENDED]
Appendix A. JURISDICTION OF BOARD BY SIZE AND ~~HAZARD~~ HAZARD
CLASSIFICATION

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

4. a. Summary of Proposed Amendments to Chapter 30 – Taking and Use of Groundwater – Mr. Chris Neel

Subchapter 3. Permit Application Requirements and Processing
785:30-3-4. Notice of application [AMENDED]

- 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 15. Waste and Wastewater American Rescue Plan Act (ARPA) Grant Program Requirements and Procedures

785: 50-15-6. Disbursement of funds [AMENDED]

Subchapter 17. Oklahoma Dam Rehabilitation (OKDR) Grant Program Requirements and Procedures

785: 50-17-8. Disbursements of funds [AMENDED]

Subchapter 19. American Rescue Plan Act Tribal Cooperation Grant Program Requirements and Procedures

785: 50-19-6. Disbursement of funds [AMENDED]

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

05000 5. SPECIAL CONSIDERATION

Chairman Jennifer Castillo

- A. Consideration of and Possible Action on Items Transferred from Summary Disposition, if any.

06000 6. NEW BUSINESS

Chairman Jennifer Castillo

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.

07000 7. ADJOURNMENT

The next regular meeting of the Oklahoma Water Resources Board will be held on Tuesday, February 20, 2024, at 9:30 am. In the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK 73118.