

FINAL AGENDA
OKLAHOMA WATER RESOURCES BOARD

May 21, 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 May 15, 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 April 16, 2024, 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 Midwest City Municipal Authority, Oklahoma 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 the Henryetta Municipal Authority, Okmulgee County, Oklahoma. Recommended for Approval.
- C. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for The Blanchard Municipal Improvement Authority, McClain County, Oklahoma. Recommended for Approval.
- D. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for The Guymon Utilities Authority, Texas County, Oklahoma. Recommended for Approval.
- E. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for The Bethany Public Works Authority, Oklahoma County, Oklahoma. Recommended for Approval.

- F. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for the Woodward Municipal Authority, Woodward County, Oklahoma. Recommended for Approval.
- G. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for the Tulsa's Port of Catoosa Facilities Authority, Rogers County, Oklahoma. Recommended for Approval.
- H. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for The Collinsville Municipal Authority, Tulsa County, Oklahoma. Recommended for Approval.
- I. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for The Bethany-Warr Acres Public Works Authority, Oklahoma County, Oklahoma. Recommended for Approval.
- J. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for the Oklahoma City Water Utilities Trust, Oklahoma County, Oklahoma. Recommended for Approval.
- K. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for the Bartlesville Municipal Authority, Washington County, Oklahoma. Recommended for Approval.
- L. Consideration of and Possible Action on Selection of Investment Banker(s) in Connection with the Issuance of Obligations to Provide Funding for the Clean Water State Revolving Fund and Drinking Water State Revolving Fund Loan Programs. Recommended for Approval.
- M. Resolution Authorizing the Issuance of Oklahoma Water Resources Board Revolving Fund Revenue Bonds - Clean Water Program, (2019 Master Trust), in the Aggregate Principal Amount Not to Exceed \$150,000,000.00; Approving and Authorizing Execution of a Bond Indenture Providing for the Issuance of the Bonds; Providing for the Sale and Delivery of the Bonds and Authorizing a Certificate of Determination; Waiving Competitive Bidding on the Bonds and Authorizing the Sale Thereof by Negotiation Pursuant to the Terms of a Contract of Purchase Pertaining Thereto; Approving a Preliminary Official Statement with Respect to the Bonds; Authorizing Execution of Such Other and Further Instruments, Certificates, and Documents as May Be Required for the Issuance of the Bonds; Directing Payment of Costs of Issuance and Containing Other Provisions Relating to the Issuance of the Bonds. 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:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
a.	FAP-24-0006-G	Carnegie Public Works Authority	Caddo	\$ 8,005.00
b.	FAP-24-0008-G	West Siloam Springs Municipal Authority	Delaware	\$ 44,157.50
c.	FAP-24-0009-G	The Clinton Public Works Authority	Custer	\$ 100,000.00

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>
INCOG				
a.	FAP-24-0032-R	Depew Public Works Authority	Creek	\$ 99,000.00
SWODA				
b.	FAP-24-0087-R	Canute Public Works Authority	Washita	\$ 99,624.00

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-23-0030-DTG	The Checotah Public Works Authority	McIntosh	\$ 600,000.00
b.	ARP-23-0116-G	Rural Water District No. 1, Hughes County	Hughes	\$ 620,000.00
c.	ARP-23-0224-G	The Caddo Public Works Authority	Bryan	\$ 1,000,000.00
d.	ARP-23-0025-DTG	The Checotah Public Works Authority	McIntosh	\$ 1,000,000.00
e.	ARP-23-0262-G	The East Central Oklahoma Water Authority	Muskogee	\$ 1,000,000.00
f.	ARP-23-0011-DG	Oklahoma City Water Utilities Trust	Oklahoma	\$ 1,000,000.00
g.	ARP-23-0115-G	Rural Water District No. 8, McCurtain County	McCurtain	\$ 2,000,000.00

7. Special Appropriations Grant:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
a.	NOI-23-0001-G	City of Tulsa - Rogers County Port Authority	Rogers	\$ 38,620,000.00

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

1. Memorandum Agreement with USGS and Arkansas-Oklahoma Arkansas River Compact Commission for water monitoring and data collection.
2. Memorandum Agreement with USGS and City of Enid for water monitoring and data collection
3. Memorandum Agreement with USGS and the City of Lawton for water monitoring and data collection.
4. Memorandum Agreement with USGS and the City of Moore for water monitoring and data collection.
5. Memorandum Agreement with USGS and the City of Norman for water monitoring and data collection.
6. Memorandum Agreement with USGS and the Central Oklahoma Master Conservancy District for water monitoring and data collection.
7. Memorandum Agreement with USGS and CP Kelco for water monitoring and data collection.

8. Memorandum Agreement with USGS and Fort Cobb Master Conservancy District for water monitoring and data collection.
9. Memorandum Agreement with USGS and Grand River Dam Authority for water monitoring and data collection.
10. Memorandum Agreement with USGS and Hardage Site Remedy Corp. for water monitoring and data collection.
11. Memorandum Agreement with USGS and Lugert-Altus Irrigation District for water monitoring and data collection.
12. Memorandum Agreement with USGS and Oklahoma Gas and Electric Company for water monitoring and data collection.
13. Memorandum Agreement with USGS and Oklahoma Dept. of Wildlife Conservation for water monitoring and data collection.
14. Memorandum Agreement with USGS and Poteau Valley Improvement Authority for water monitoring and data collection.
15. Interagency Agreement between OWRB and Oklahoma Department of Agriculture, Food and Forestry for collecting groundwater samples at monitoring wells of swine licensed managed feeding operations.
16. Agreement between OWRB and the Oklahoma Ground Water Association for continuing education services for well drillers and pump installers.
17. Joint Funding Agreement between OWRB and United States Geological Service for continued operation and maintenance of the Monitoring Program.
18. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs for the Oklahoma Clean Water State Revolving Fund Loan Account Program financial statements and Uniform Guidance Single Audit.
19. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs for CWSRF and DWSRF Loan Administrative Funds Audits
20. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs for FAP Administration Fund Audit.

21. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs for Revenue Bond Issues Audit.
 22. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs for the American Rescue Plan (ARPA) financial statements and Uniform Guidance Single Audit.
 23. Professional Services Engagement Letter with Crawford & Associates, P.C. to provide account services related to the Board's financial assistance programs.
 24. Agreement with Arbitrage Compliance Specialist, Inc. for arbitrage services in connection with the issuance of the state government entity obligations and indebtedness for OWRB loan programs
 25. Addendum to Issuer User Agreement between OWRB and BondLink, Inc. for investor support services for OWRB bond issuances.
- E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
1. THI Group, LLC, LeFlore County, 2023-553
 2. Encore Cultivation, LLC, Jackson County, 2023-668
- 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:
- None
- 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:
- None
- 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:
- None

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:

A. Licensee: M&H Enterprises DPC-1046
1. Operator: Mark Smith OP-2539
Activities: Pump installation

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

a. Licensee: F&H Drilling Services DPC-0065

1. Operator: Casey Pickard OP-2532

Activities: Groundwater wells and pump installation

b. Licensee: Dolese Bros. Co. DPC-1023

2. Operator: Dan Heidrick OP-2533

Activities: Monitoring wells

a. Licensee: J&B Pump and Supply DPC-0587

3. Operator: Jacob Barker OP-2535

Activities: Pump installation

a. Licensee: J&B Pump and Supply DPC-0587

4. Operator: Matthew Caraway OP- 2200

Activities: Plugging of certain water wells

a. Licensee: Talon LPE DPC-0619

5. Operator: Robert Meyer OP-2534

Activities: Groundwater wells, monitoring wells, pump install, heat exchange

a. Licensee: Equus Environmental, LLC DPC-0371

6. Operator: Justin Hoppis OP- 2537

Activities: Monitoring wells

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

1. Watonga Lake, Blaine County, OK00115
2. West Thomas Field Services Dam, Custer County, OK30622
3. Knob Creek Dam, Garvin County, OK30634

- O. 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, Bryan and Marshall Counties, FP-2024-9

- P. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:
 - 1. Blake Woods, Adair County, #FPA-844
 - 2. Tyler Hulse, Muskogee County, #FPA-523
 - 3. Keith Huitt, Garvin County, #FPA-794

- Q. Consideration of and Possible Action on a Consent Order:
 - 1. Stigler Lake Dam, Haskell County, OK00699

04000 4. QUESTIONS AND DISCUSSION ABOUT AGENCY MATTERS AND OTHER ITEMS OF INTEREST **Chairman Jennifer Castillo**

- A. No Items

05000 5. SPECIAL CONSIDERATION **Chairman Jennifer Castillo**

- A. Consideration of and Possible Action on Application for a Temporary Groundwater Right No. 2022-573, Winters Farms, LLC, Jackson County, Oklahoma:
 - 1. Summary – **Mr. Chris Neel**
 - 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.

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, June 18, 2024, at 9:30 am. In the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK 73118.