

Local Input Meeting Report



#29

**Broken Arrow, Oklahoma
Nienhuis Community Center
Meeting Space
September 13, 2007**

Project Description

The Water Research Institute, at Oklahoma State University, is working under contract with the Oklahoma Water Resources Board to update Oklahoma's Comprehensive Water Plan. The Institute has designed an innovative process that combines citizens' ideas with the assistance of water experts in formulating policy recommendations. This process seeks to rely on the citizens' values for guidance in making tough choices about management of our State's water resources.

The first phase of this process consisted of 42 Local Input Meetings held throughout the State beginning in April 2007, at Beaver and ending on Nov. 15, 2007, at Idabel. The purpose of the meetings was to gather citizens' ideas, questions, suggestions and concerns about Oklahoma's water resources. This report is a comprehensive list of the comments received at this meeting.

In addition to the Local Input Meetings the public participation process consists of four other components. During the second phase, beginning in 2008, the Institute will conduct 11 regional meetings where selected participants will review the comments, consolidate similar issues, and prioritize them. Planning workshop, where participants will work to development management alternatives, is scheduled to begin in 2009. The Oklahoma Academy for State Goals will hold a special Town Hall meeting, in the spring of 2010, where citizens will develop consensus recommendations. These recommendations will be forwarded to the Oklahoma Water Resources Board for consideration/inclusion in a draft updated Comprehensive Water Plan. In the final phase the Institute will again conduct 11 regional meetings. At these meetings, the Institute will receive feedback and implementation suggestions on the draft Water Plan. Comments received at these meetings will be forwarded to the Water Board who will finalize the Plan and submit it to the legislature and the governor.

For more information visit the Institute's website at <http://okwaterplan.info>, email them at waterplan@okstate.edu, or by phone at 405.744.9994. You may also contact the Oklahoma Water Resources Board at www.owrb.ok.gov or 405.530.8800.



Meeting Agenda

Time	Topic	Speaker
6:35 pm	Welcome	Phil Pratt, Educator Tulsa County Cooperative Extension Service
6:37 pm	Purpose of Meeting and Introduction of Staff	Mike Langston, Assistant Director Water Research Institute
6:43 pm	Water Challenges in Oklahoma	Derek Smithee, Water Quality Programs Division Chief Oklahoma Water Resources Board
7:01 pm	Comments from the public	Public Participants
8:14 pm	Meeting adjourned	

Attendees

Water Research Institute Staff

Mike Langston, Assistant Director
Jeri Fleming, Communications Manager
Alison Stone, Administration Specialist

Oklahoma Water Resources Board Staff

Derek Smithee, Water Quality Programs Division Chief

Oklahoma Cooperative Extension Service Staff

Phil Pratt, Tulsa County Extension Educator

Public Participants

26 citizens

Comments

Forty-three comments were received from the meeting participants. Comments were submitted both orally and by comment card. The comments are organized alphabetically by topic. Each comment is preceded by a unique identification number that will remain with the comment throughout the process. *Additional comments were submitted online to the website and are not included below; however, there is a separate report that lists all comments received through the website, by fax, mail and phone.*

Water Management

Agencies

- *Jurisdiction*
 - **BA2** Broken Arrow has a water right on the Verdigris River. Theirs (and other public water suppliers') intakes are located in an oxbow on the River. The oxbow was created when the Army Corps of Engineers dredged the navigational channel. It is used as a water supply storage area but there is only limited flow to that oxbow. Water in the oxbow gets stagnant because the water level stays the same as the level of the navigation channel. I would like to see some way for the water to be kept fresh. The plan should address ownership and control of surface water in "oxbows" of the Verdigris River created by the navigation channel. Should storage and withdrawals be controlled by OWRB, the Corps of Engineers, water rights holders, or some other entity?
 - **BA5c** I think the plan should address ways to resolve problems between municipalities and rural water districts when a municipality grows into a rural water district's service area.
 - **BA11f** I strongly recommend the OWRB get involved in the proper planning, permitting, and design of low-water dams. There is going to be a proliferation of them across the State and we can get too many engineers only and the wildlife biologists and others should be involved. The low-water dams are a great potential for a massive area of pollution.
 - **BA14b** The plan should propose that the State do away with the Grand River Dam Authority's control over surface water allocation. The State won't win the water wars so long as GRDA has control over water.
 - **BA15** When a mining company digs into a known aquifer and water is produced, then currently it is outside the jurisdiction of the Water Board even though it produces a tremendous amount of water. This activity needs to come under the jurisdiction of the Water Board (it needs to be permitted, monitored, measured and reported).

Conjunctive Management

- **BA15** We have to acknowledge in our planning for the State, that groundwater affects surface water and the current law does not allow for this recognition. An example of this is in the Ogallala aquifer where the Beaver River no longer flows because of the amount of groundwater pulled out.
- **BA17** It is unwise to continue to treat groundwater as property owned by the surface owner with no regulation by the State. Groundwater and surface water are all one big unit and the State should be allowed to view it as such.

Conservation

- **BA10e** I suggest that we use water conservation measures to reduce demand and so avoid the cost of transfer.
 - **BA11b** There should be a record of all uses of water Statewide per capita as a method of conservation, and this should be published. We could use this as a national model or for bragging rights. Cities should print a [water] footprint map of how much water people are using.
- *Technology*
 - **BA1c** We should encourage the use of animal and agriculture waste for bio-fuels because this cuts down on the nutrients entering streams and groundwater.

Economic Impacts

- *Regulation*
 - **BA10d** I am concerned about the cost of continuing reductions in maximum contaminant levels of treated water whether by federal or State agencies.

Health

- *Ecological*
 - **BA10c** Protect water quality from deterioration/degradation in all areas of the State.

Planning

- **BA11e** The technical committees for the water plan should be at least 2/3 from the private sector. The public should be allowed to come in and monitor the technical meetings and they should be open to the public.
- **BA12** I would like to see everything in the plan scientifically vetted. I would like to see a part of the plan include preferred or recommended legislation and a plan for lobbying for those recommendations. If the plan deals with issues such as conjunctive management then there should be a recommendation for change in the law or regulations. It is important that sustainability be a guiding principle of the plan whether that be on a regional or larger basis.
- **BA16** The water planning process should have a Statewide legal summit, as well as geological and technical summits.
- *Priorities*
 - **BA5d** Four out of five Oklahomans receive their water from a municipality and there should be some deference (priority) given to municipalities for that use.
 - **BA6a** Some rural water districts have more infrastructure than some small towns, and so, should be considered for priority when allocating drinking water supply.
- *Public Participation Process*
 - **BA19** Consideration should be given to inviting all elected or appointed officials in each region to the regional meetings.
- *Regional Differences*
 - **BA10b** Recognize the availability of water resources in water-rich areas versus the lack of availability in more arid areas of the state.

Policy/Regulations

- *State Regulations*
 - **BA5a** It is important for any plan to not just permit agriculture use but also to meter it. When we don't meter ag use, then we don't know how much water is being taken out. Metering will allow us to have good data to know if withdrawals impact stream flows and vice versa. We need to know that the people with ag permits are within their permitted withdrawal amounts.
 - **BA11g** The State should standardize a shoreline management plan (GRDA should be subject to that plan) for the entire State accounting for regional differences.
 - **BA15** It is important that we recognize how and who is using water, and the water users need to be more closely monitored. If a poultry producer, which is agriculture use, applies for a permit and just puts domestic use exemption on their permit application, the

Water Board does not know what the real use of the water is. All uses need to be monitored, measured and reported to the Water Board.

- *Permits*
 - **BA13b** There should be research done on coming up with different ways to allocate stream water. The purpose of this is the help avoid the water wars that are already here and that will get worse.
- *Taxes*
 - **BA11c** There is a federal program called "payments in lieu of taxes" [to compensate states] for property that was purchased for reservoirs [and thus taken off the tax rolls] and the federal government is years in arrears on their payments to Oklahoma. The State should go after that money.
- *Water Rights*
 - **BA8** Public water suppliers need to have the ability to obtain and hold water rights before we can develop a plan and build a plant to meet future demands. Without having the water rights, we could build a plant for future demands, only to find [upon completion] that we have no water to supply the system. The "use it or lose it" policy sometimes causes suppliers to lose their water rights before their plant is finished.
- *State Statutes*
 - **BA11a** I would like to see clarification and an elaboration of what "beneficial use" is. There should be some more flexibility in the water rights permitting process regarding beneficial uses. There should also be clarification on "beneficial use" to whom.
 - **BA11d** There should be a reclassification jointly by the Army Corps of Engineers, Bureau of Reclamation, the State, and OWRB to recognize tourism and recreation as a beneficial use for reservoirs. This will reflect the reality of the maximum beneficial use of reservoirs in the present and the future.
 - **BA11h** Let's get the technical committee and everyone, including God involved in DEFINING SURPLUS WATER in the State.
 - **BA13a** The State should shift from a utilization statute to a conservation approach for groundwater use.

Regionalization

- **BA3** Consideration should be given to addressing regionalization of water and wastewater treatment plants in close proximity to each other. In the current environment, larger facilities meet the EPA requirements because of economy of scale. Also, two or more regional suppliers could support each other and provide redundancy.
- *Incentives*
 - **BA5b** There should be some development of incentives to encourage regionalization in allocation of water rights or in funding of regional systems.

Sales and Transfers

- *Interstate*
 - **BA6b** We should address out-of-state water sales. If we have more water than we need in eastern Oklahoma, we should do some studies and perhaps transfer the water to western Oklahoma before we sell it out-of-state.
 - **BA10a** Make Oklahoma water available to OKLAHOMANS first and foremost before allocating Oklahoma water to other states.

- *Intrastate*
 - **BA18** It should be illegal to pool groundwater for the purpose of transferring it outside the area of origin.

Water Rights

- *Permitted Water Rights*
 - **BA21** I would like the water plan to address water rights. Look at available water vs. current allocations and get more water rights to the cities. Give cities enough water rights to plan for the future and not be constantly taking their water rights. Cities need to be able to plan water for 50+ years into the future.

Water Treatment

- *Natural*
 - **BA1a** It is vitally important for the State to focus on wetlands. We are losing wetlands and they are good for many different purposes: recharging aquifers, filtering water and helping with flood control.

Watershed Management

- **BA1b** We need to keep land in natural grasslands because it helps to slow water runoff and filters and cleans the water.
- **BA7** There should be some clarification in the plan regarding maintenance of watersheds, specifically pollution coming off the watershed into the streams and lakes.
- **BA9** The plan should give priority to watershed management by soil conservation districts. The SCDs have the legal authority to balance the conflicts over rights. This could take care of some of the issues such as the oxbows [comment BA2] and monitoring of ag use [comment BA5a]. This could also help with the issue of who owns the water, the riparian landowner, Native American tribes or the state.
- **BA20** We should also address bank stabilization on major streams since unstable banks increases turbidity for consumers downstream, with an increase in the costs of producing usable water.

Water Uses

Conservation Use

- **BA10g** [I suggest] limiting the use of water for irrigating non-food related plants that are not indigenous to the historic climate of the locale. If I need to irrigate with water from eastern Oklahoma, that's wrong. A core value I gained while growing up is that we build houses- not next to a creek, but on a hill near a creek. Population should go where the water is.
- *Reuse*
 - **BA10f** The plan should encourage the maximum practical (cost-effective) reuse of water.

Ecological Use

- *Habitat*
 - **BA14a** The plan has to address in-stream uses (pollution control, recreation, groundwater recharge, and others) with a lot more specificity. There should be specific criteria to allow for the management and allocation of in-stream flows.

ADDENDUM

Category Descriptions

- **Water Management**

- Agencies – Includes, but is not limited to, federal, state, and local agencies. Also includes rural water districts, jurisdictional issues, and additional funding needs by individual agencies
 - Federal – Comments regarding federal agencies that are not necessarily related to a law or regulation
 - Funding – Additional federal, state, or local funding opportunities for various projects
 - Jurisdiction – Limiting, expanding, or consolidating agency jurisdiction
 - Local – Includes cities, conservation districts, and other locally led authorities
 - Rural Water Districts – Suggestions that would affect rural water districts
 - State – Comments regarding State agencies
- Conjunctive Use/Management – Consideration of the interaction between ground and surface water
 - Legislation – Changes in Oklahoma law to recognize/not recognize the interaction of ground and surface water
 - Research – Identification of additional research needs concerning conjunctive use
- Conservation – Decreasing use and preservation of Oklahoma’s water resources
 - Education – Conservation education and educational resources
 - Incentives – State or local incentives to encourage water conservation
 - Research – Directed at water conservation measures
 - Sustainability – The continuous long-term availability of water resources
 - Technology – Equipment or other innovations intended to help conserve water
- Economic Impacts – The effects water has on the State’s economy
 - Development – Increased housing, industry, tourism, or other types of development requiring water resources
 - Population Change – The effect population change has on local and State economies
 - Recreation & Tourism – The impact recreation and tourism have on the State’s economy as well as the effect water management has on recreation and tourism
 - Regulations – The effect both federal and State regulation has on water districts
 - Sales – Concerns regarding the effect the sale of water will have on the State’s or basin of origin’s economy
- Health – The effect water quality and water quantity have on both human health and the environment
 - Ecological – The environmental impacts of water quality and water quantity
 - Health – The health effects resulting from a lack of available good quality potable water
- Infrastructure – Includes, but is not limited to, drinking water and waste water treatment facilities, pipelines, dams and other associated structures
 - Needs – New infrastructure needs
 - Maintenance – Maintenance of existing infrastructure

- Funding – Additional, continued or increased State or federal funding opportunities
- Planning – Comments regarding the planning process for the Oklahoma Comprehensive Water Plan
 - Interstate Cooperation – Working with surrounding states to avoid conflicts regarding water flowing into and out of Oklahoma
 - Priorities – The prioritization of water usage during times of shortage to avoid later conflicts
 - Public Participation Process – Comments regarding issues with the public participation process
 - Regional Difference – Recognizing water availability, uses, and rainfall variations across the State
 - Research – Identification of possible research needs during the planning process
 - Revision – The need for updating the plan more frequently than once every 10 years or so
- Policy/Regulations – Comments regarding various State and federal statutes (laws) and regulations (rules)
 - Adjudication – Court involvement in the management of Oklahoma’s water resources
 - Enforcement – Enforcement of current laws and regulations by the appropriate agency
 - Federal Regulations – Comments about federal laws and regulations
 - Incentives – Federal and State incentive programs to promote compliance with laws and regulations
 - State Regulations – Comments about State regulations or rules
 - Permits – Comments about the permitting process
 - Water Rights – Comments about regulations concerning water rights
 - Taxes – The levying of taxes to collect money for various reasons
 - State Statutes – Comments regarding Oklahoma’s water law
- Regionalization – the consolidation of water treatment facilities or other infrastructure by municipal and/or rural water districts
 - Funding – Federal or State funds available to help facilitate regionalization
 - Incentives – To help encourage regionalization of water treatment facilities
- Sales & Transfers – The artificial movement of water either in-state (intrastate) or out-of-state (interstate)
 - Compensation – Who should be compensated, how should they be compensated, and how much should they be compensated if water is sold or transferred
 - Control – Concerns about who would control the water and land if water is sold or transferred
 - Interstate – Out-of-state water sale or transfer
 - Intrastate – In-state water sale or transfer
- Water Rights – Who has the right to control or use ground or surface water
 - Private Property Rights – Rights to groundwater on private property
 - Permitted Water Rights – Both surface and groundwater permitted water rights
 - Native American Rights – Tribal claims to both surface and groundwater

- Water Security – Natural and man-made threats affecting water supplies
 - Disasters – Natural or man-made disasters affecting either water infrastructure or supply
 - Terrorism – Terrorist attack on water infrastructure or supply
- Water Treatment – Includes both natural and man-made water treatment suggestions
 - Artificial – Technologies for treating both drinking and waste water
 - Natural – Ecological (environmental) ways of treating both drinking, and waste water i.e. wetlands
- Watershed Management – The management of land, including development that affects water quality and water quantity
- **Water Uses**
 - Agriculture Use – The way water is used in the agriculture industry
 - Biofuels Growth – Suggestions and concerns regarding the increased growth of crops for biofuels
 - Commercial Use – The use of water by commercial enterprises such as small businesses, etc.
 - Conservation Use – Suggestions and concerns regarding various ways to use water in a way that will conserve it
 - Reuse – The reuse of various water supplies such as treated wastewater, gray water, and storm water run-off
 - Ecological Use – Maintaining sufficient water levels to ensure the health of wildlife and ecosystems e.g. in-stream flows
 - Habitat – Water uses to protect wildlife habitat
 - Research – Identification of additional research needs regarding the ecological use of water
 - Hydropower Use – The use of dams to produce electricity
 - Industrial Use – The use of water by factories, power plants and other industrial uses
 - Biofuels Processing – The use of water in processing biofuels in the State
 - Mining Use – The use of water in the mining industry
 - Oil & Gas Use – The use of water by the oil and gas industry
 - Private Domestic Use – Household water that is not supplied by a municipality or rural water district and includes both ground and surface water
 - Wells – The use of private domestic wells
 - Public Domestic Use – Household water that is supplied by a municipality or rural water district
 - Municipality – Household water supplied by a town or city
 - Rural Water District – Household water supplied by a Rural Water District
 - Recreational Use – The use of water for recreation and to promote tourism
 - Aesthetics – Concerns about the aesthetic beauty of Oklahoma’s water resources
 - Boating – The use of water for water recreation such as boating
 - Fishing – The use of water for fishing in the State’s water resources
 - Golf Courses – The use of water in maintaining the State’s golf courses
 - Storage – The storage of water in reservoirs, or in aquifers either naturally or artificially; may also include other storage methods such as cisterns
 - Transportation Use – The use of water to maintain Oklahoma’s navigation channels, i.e. McClellan-Kerr Navigation System

- **Water Sources**

- *Both* Ground and Surface Water – Comments referring to *both* surface and groundwater concerns
 - Quantity – The quantity of *both* surface and groundwater
 - Quality – The quality of *both* surface and groundwater
 - Both – *Both* the quality and quantity of surface and groundwater
- Climate – The effect climate has on water sources including global warming and rain
- Groundwater – Concerns about the State’s groundwater
 - Quantity – The quantity of groundwater
 - Quality – The quality of groundwater
 - Both – *Both* the quality and quantity groundwater
- Recycled Water – Non-traditional sources of water
 - Waste Water – Treated waste water as a water source
 - Gray Water – Gray water (water that comes usually from washing machines, showers, bathtubs, etc.) as a water source
- Surface Water – Concerns about the State’s surface water
 - Quantity – The quantity of surface water
 - Quality – The quality of surface water
 - Both – *Both* the quality and quantity of surface water