

# Local Input Meeting Report



**#34**

**Muskogee, Oklahoma**  
**Indian Capital Technology Center**  
**Business and Industry Building,**  
**Room 500**  
**October 2, 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](mailto:waterplan@okstate.edu), or by phone at 405.744.9994. You may also contact the Oklahoma Water Resources Board at [www.owrb.ok.gov](http://www.owrb.ok.gov) or 405.530.8800.



### Meeting Agenda

Time	Topic	Speaker
6:35 pm	Welcome	Rodney King, Educator Muskogee County Cooperative Extension Service
6:37 pm	Purpose of Meeting and Introduction of Staff	Mike Langston, Assistant Director Water Research Institute
6:49 pm	Water Challenges in Oklahoma	Dave Dillon, Director of Water Planning Oklahoma Water Resources Board
7:24 pm	Comments from the public	Public Participants
8:23 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*

Dave Dillon, Director of Water Planning  
Kyle Arthur, Environmental Program Manager with the Oklahoma Comprehensive Water Plan

##### *Oklahoma Cooperative Extension Service Staff*

Rodney King, Muskogee County Extension Educator  
David Adams, Muskogee County Extension Educator

##### *Public Participants*

39 citizens

#### Comments

Forty-four 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

- *Funding*
  - **Ms5d** The General Service Administration needs to do a complete audit of all contracts the Southwestern Power Administration has with the Corps.
- *Jurisdiction*
  - **Ms10e** I suggest the loan division of the OWRB have a wall of separation from the water allocation process to allow State elected officials to intervene when there is a dispute within the loan applicant's area.
- *State*
  - **Ms5a** The Governor has a water conference every year and never shows up.
  - **Ms10d** OWRB should publicly post the price on our public water (the 3 tiers); this is a glaring deficiency in the information provided by the OWRB.

### Economic Impacts

- *Recreation*
  - **Ms15b** Fishing and hunting contributes significantly to Oklahoma's economy. It's estimated that fishing brings in \$478 million, hunting \$73 million, and wildlife watching activities \$370 million to Oklahoma. When it comes time for the regional meetings, we hope that decision makers will consider protection of our natural resources and the huge positive impact that this protection can have on Oklahoma's economy.
- *Regulation*
  - **Ms17b** Unfunded mandates from the federal government and the State are a great concern. Small systems are not going to be able to afford the cost of treatment without grants to meet the requirements. An alternative to this is funding infrastructure to allow the regional plants to be able to supply smaller systems.
  - **Ms24b** The City of Muskogee's concerns: Cost of regulatory compliance continues to escalate.
  - **Ms24c** The City of Muskogee's concerns (regarding Local Impacts of the Clean Water Act): Planning and implementation of Disinfection Byproducts (DBP) Stage 2 and Long-Term Surface Water Enhancement Rule (LTSWER) Stage 2 has been labor intensive and costly. Extra lab testing costs are high for addition DBP State 2 sampling required. LTSWER Stage 2 requires us to send refrigerated samples to Colorado for testing. No local or State testing capability.
  - **Ms24d** The City of Muskogee's concerns (regarding Local Impacts of the Clean Water Act): Chemical costs have increased over 20% in the last four years due to current regulations.
  - **Ms24e** The City of Muskogee's concerns (regarding Local Impacts of the Clean Water Act): Most recent regulations require increased dosages of chemicals to control by-products levels in system. We anticipate \$100,000 to \$200,000 additional chemical costs annually.
  - **Ms24h** The City of Muskogee's concerns (regarding Regional Impacts of the Clean Water Act): Additional treatment may be required beyond that provided by the city of Muskogee. Additional treatment which may be required for compliance may be beyond the ability of the small utility to provide.

## Health

- *Ecological*
  - **Ms12** OWRB and/or DEQ should more closely monitor and enforce current water quality standards in order to maintain the health of fish and wildlife.
  - **Ms15a** Oklahoma Department of Wildlife Conservation would like to see that waters for fish and wildlife are given high priority in discussions of the water necessary for healthy fish and wildlife populations. We are charged with the protection of fish and wildlife. Obviously this is a high priority to ODWC.
  - **Ms16b** I'm concerned about the protection of water levels for fish habitat and level-flow of water affecting fish recruitment, as well as, anglers' enjoyment and safety.

## Infrastructure

- *Funding*
  - **Ms24** The City of Muskogee's concerns: Age and deteriorated condition of the city's water treatment plant. The plant is almost 100 yrs old and is in need of replacement even though it is functioning well enough to provide quality water and maintain compliance with all State and federal regulations. The funding of infrastructure improvements at the plant is a challenge. Immediate repairs are needed.
- *Maintenance*
  - **Ms16e** I am concerned about siltation at current facilities and lack of plans for new dams/water storage

## Planning

- *Research*
  - **Ms5b** The Corps of Engineers needs to do its first statewide computer modeling of all of its dams and navigation channels to include fish and wildlife. We need to evaluate the growing rural water districts because they are being left out. Then the need to shift all priorities would be realized.
  - **Ms6** Global warming is a huge water issue in Oklahoma and there should be a special section of the plan to address climate change/global warming.
  - **Ms7** The useful life of reservoirs (50 years/design life) is affected by both sedimentation and the structures themselves. The modeling that needs to be done, either by the Corps or the State, is the future useful life of these reservoirs. We need to set aside money now to figure out how to preserve our lakes for the future. We need to recognize the federal government is setting aside less and less money to maintain these reservoirs so the state needs to start now to set aside money to fill the gap.
  - **Ms19** Before the plan is completed, it is important that OWRB or an independent contractor conduct an in-stream flow methodology study to enable the plan to reflect the maximum protection of fish and wildlife and make the best use of stream water in Oklahoma.
- *Priorities*
  - **Ms5e** The Corps needs to understand the priorities of the state of Oklahoma.
  - **Ms22b** I would like to see humans have priority over wildlife in water usage. Living near a wildlife refuge area, we are constantly abused by wildlife with little or no ability to protect our property.

## Policy/Regulations

- *Enforcement*
  - **Ms10c** The OWRB should enforce their own rules on "use it or lose it." They have allowed Sequoyah Fuels to keep unused water rights for years.
  - **Ms16c** I'm concerned about the D.O. (dissolved oxygen) levels at GRDA dams and that two State agencies are not doing what the US Army Corps of Engineers recommended as solutions to this problem.
- *Federal Regulations*
  - **Ms1** I am concerned about the lack of dedicated water for fish and wildlife. In particular, in the lower Illinois River, which is a trout stream. There are 8 trout fishing areas in Oklahoma supported by the lower Illinois River and Broken Bow trout areas. The trout stream adds to the Sequoyah County economy \$2.5 million per year. The trout stream program is designed to pay for itself. Losing the Illinois River trout stream from lack of water would jeopardize every trout fishing area in Oklahoma. Fish and wildlife is not a consumptive use (the water can be reused). It is very important our Senators (federal) get behind this project. The federal government controls the allocation of federal reservoir water.
  - **Ms5c** There needs to be clarification to the public on federal priorities.
  - **Ms23b** I would like to see some of the unnecessary rules and regulations lifted from laws regarding wildlife that stop progress of human living.
  - **Ms24f** The City of Muskogee's concerns (regarding Local Impacts of the Clean Water Act): High rate of feed (chemical application rate) will be required to help outside districts to comply with regulations.
  - **Ms24g** The City of Muskogee's concerns (regarding Regional Impacts of the Clean Water Act): New regulations will greatly impact outlying small municipalities and rural water districts supplied by Muskogee. It is difficult for these utilities to maintain compliance due to the lengths of water lines, distance from treatment plant and the longer periods of time water remains in the lines.
- *State Regulations*
  - **Ms9** The plan should establish criteria to prevent the diversion of water below that required for navigation in the McClellan-Kerr Arkansas River Nav. System.
  - **Ms13** The water quality standards for the State should include benzene counts and bacteria background.
  - *Water Rights*
    - **Ms21** Sequoyah Fuels Authority currently has 14,000 acre-feet of water storage rights it is currently not using. This has been proposed to go to the Cherokee Nation and distributed to various water associations for their use including 2,000 acre-feet of water to Tenkiller Utilities Authority to complete current design project. This is currently tied up in litigation with Cherokee Nation claiming ownership of Illinois River (Tenkiller Lake) on a previous Treaty. The water plan should consider ways to make unused water rights more accessible to water suppliers.
- *State Statutes*
  - **Ms8c** We need a law that allows us to appropriate in-stream uses and these should be recognized as beneficial uses.

## Regionalization

- **Ms17a** The State needs to be more concerned with regional systems. To meet the new requirements of the EPA-safe water act- the capability of plants and trained personnel is very important. The ability of rural water systems to hold a water district but not supply adequate water or as high a quality of water that will be required in the future is a major concern.

## Sales and Transfers

- **Ms10a** I suggest the state of Oklahoma go to the same rigid policy that the Great Lakes states (7 states compact) and Australia have regarding no water sales be allowed outside the basin of origin.
- *Control*
  - **Ms14** North Texas Municipal Water Authority is so confident Texas will beat us in federal court and get access to Oklahoma waters that they are in preliminary planning for four or more federal dams in southeast Oklahoma for Texans' use. NTMWA and other Texas water authorities serving Dallas-Ft. Worth are having discussions with T. Boone Pickens to build a major water pipe line from Boone's West Texas water rights to below Hugo near Red River to suck up Kiamichi River Basin water to pipe to Dallas area. Remember the Alamo! No, remember what Los Angeles did to Owens Valley.
- *Intrastate*
  - **Ms8b** Water can be appropriated for use outside the area of origin if it is classified as surplus water. The plan needs to define a legal structure that identifies the 50 or 100 year needs and set that amount aside for the area of origin, thereafter any entity in the area of origin would be given priority access to that water.
  - **Ms22** Before any water is transferred to another region (or state) the area that supplies the water must have first rights to the water, i.e. water from Eufaula to Oklahoma City, if the Eufaula area needs that water for future use.

## Water Rights

- *Native American*
  - **Ms8d** We hope the State, GRDA and the Tribes can get the issue of who owns the water settled before the plan is finished.
  - **Ms10b** I would like to see the State begin preliminary talks now with all Tribes that have some claim to water rights.

## Water Sources

### Surface Water

- *Both Quality and Quantity*
  - **Ms16d** I am concerned over mitigation for new dredging of the McClellan-Kerr Navigation System to increase its depth. My concerns include: (1) How it will affect the water quality and shoreline wildlife during the dredging process? (2) How will the fisheries be impacted? (3) Will they take fill and just place it in shallow water, thus eliminating shoreline/shallow water or will it be placed on dry land?

## Water Uses

### ***Agricultural Use***

- **Ms23** Make sure we have enough water to supply Oklahoma agriculture to ensure an abundant supply of food and continue one of Oklahoma's biggest industries and employers.

### ***Ecological Use***

- *Habitat*
  - **Ms8a** As current water laws are now written there is no way to protect the water rights of the people in eastern Oklahoma because of the "first in time, first in right" rule. I recommend the plan set minimum stream flows to protect fish and wildlife and establish criteria to prevent the diversion of water below that level.
  - **Ms16** I'm concerned about the lack of water dedicated to fisheries management by the US Army Corps or Engineers and GRDA.

## 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