

Local Input Meeting Report



#37

Poteau, Oklahoma
Choctaw Family Investment
Center
Conference Center
October 18, 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 | Brian Freking, Educator LeFlore County Cooperative Extension Service |
| 6:37 pm | Purpose of Meeting and Introduction of Staff | Mike Langston, Assistant Director Water Research Institute |
| 6:50 pm | Water Challenges in Oklahoma | Derek Smithee, Water Quality Programs Division Chief Oklahoma Water Resources Board |
| 7:14 pm | Comments from the public | Public Participants |
| 8:25 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

Brian Freking, LeFlore County Extension Educator

Public Participants

29 citizens

Comments

Twenty-nine 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*
 - **Po12** A couple of the things we need to incorporate into the plan are funding for gauges and studies on water quantity. It is becoming very difficult to continue with the gauging program with the cutbacks in funding.
 - **Po16** If there is not money available for stream monitoring, has the OWRB thought about a volunteer program, similar to the National Weather Service's monitoring program? There may be federal money available to put the gauges in place with a small amount of compensation for the participants.
 - **Po21** Money needs to be allocated to monitor the impacts of gas mining on surface water, groundwater, and domestic wells for water quality.
- *Jurisdiction*
 - **Po3** There should be a law passed giving OWRB authority over DEQ. Because DEQ passes unreasonable regulations and the cost of these is passed on to the rural water districts and the consumer.
 - **Po6b** I don't believe that soil testing is the proper way to protect against water pollution. You should not have the Ag department in charge of water quality because you automatically put in a bias. If you want to check the water you don't measure the dirt, you check the water. It is a flawed system. As water quality degrades it's much more difficult to use that water for any other beneficial use including business, recreation and drinking water.

Conservation

- *Education*
 - **Po18** Provide educational tools, media, etc. to public school systems in an effort to bring water quality and conservation to our future leaders and consumers.

Economic Impacts

- **Po1c** Water supply is a driver for economic development in this area.
- **Po4** I would like to see the state of Oklahoma openly embrace and encourage the finalization of Phase III of the impoundment of Lee Creek. Ft. Smith, which would pay for the impoundment, has a huge impact on the economy of this area. This was discussed at one time; however, it was stopped. If done right, Oklahoma could have water rights from this impoundment and that would benefit this area economically as would the recreational opportunities.
- *Sales*
 - **Po10a** It is not only other states wanting our water it is OKC as well. We need to protect our water sources until this planning process is complete. An example is OKC is working with Clayton to pay off their treatment plant in exchange for access to Sardis Lake water. If we sell our water or let someone else have it, we lose our economic benefit. We need to keep our water here to use it as an economic tool, and not let some other place get it, and then, our children may have to move away from this area.

Health

- *Ecological*
 - **Po18b** Water quality issues must be addressed equally with water quantity.

Infrastructure

- *Funding*
 - **Po17** Future expansion and public water needs in our [Rural Water] district area have the land mass ability to acquire up to another 75 -100 subscribers within the next 50 years. In order to provide the services required, the district would have to add up to three extensions to current lines with an additional pump station and storage reservoir. Engineering studies would need to be obtained to preclude dead-end extensions and circle the system back into the main line, whenever possible, to provide the best quality of water possible. (Examples include: (1) Extension A from Haw Creek store on Blackfork Road needs to extend south at its halfway point for two miles and if possible loop back around to the current dead end of extension A, (2) Zoe extension D from its end should extend on along Walker Mountain Road until it ties back in with extension C coming from Haw Creek. The additional pump stations and reservoir would be placed on this new line, and (3) Page extension H will continue on to the Arkansas state line, seven more miles from where it currently ends.) In order to complete the above mentioned projects, a large influx of funds would have to be made available. Small rural water districts like this one [LeFlore County RWD # 15] do not have the monetary means.
- *Needs*
 - **Po5** There has been a study done to develop a dam, Lukfata, on the Glover River. This needs to be built before the land is sold off in small pieces driving up the cost to build the impoundment.

Planning

- **Po10b** The population projections [in the OWRB presentation] don't take into account industry that may move into an area and need adequate water, thus the water may not be set aside for this purpose.
- *Interstate Cooperation*
 - **Po14c** How will the water plan address interstate issues?
- *Public Participation Process*
 - **Po1d** Please don't exclude cities and towns from any negotiations or studies.
 - **Po14b** How come the planning process has been divided by political regions rather than watersheds?
- *Research*
 - **Po8a** Do we know how many true acre-feet of water are available in our surface and groundwater? A study should be done to determine how much siltation is affecting the amount of water in our surface water impoundments.

Policy/Regulations

- *Federal Regulations*
 - **Po1b** We need protection of our infrastructure that we have spent millions of dollars to develop. We need protection from unreasonable regulations.
 - **Po19** Less DEQ regulations on water districts for testing water.
- *State Regulations*
 - *Water Rights*
 - **Po7** The Oklahoma Appropriation Water Right Law, as presently designed, is not workable. It claims to protect the inhabitants of the area of origin and permit only

surplus water of the area to be appropriated outside the area. However, the "first in time first in right" provision defeats those premises. In brief, any out-of-area appropriation is superior to any later appropriation within the area and the out-of-area appropriator can take water to the bottom of the stream during drought periods and deprive subsequent local users of water. To move the Oklahoma Water Rights System closer to its stated purpose, I recommend: 1.) The water plan establish minimum stream flow to protect fish, wildlife, and the ecology of the stream system and establish specific criteria and technique to prevent any water from being withdrawn below that minimum level. 2.) The water plan provide for the set-aside or provisional reservation of the amount of water needed by the area of origin for the foreseeable future. 3.) The water plan provide for the future applications for water used in the area of origin be allocated from the reserved amount and given the reservation priority date. 4.) The plan specifically provide for in-stream beneficial use of stream water for boating, floating, and environmental benefits. 5.) The issue of water ownership i.e. Tribal/State should be resolved. 6.) Soil conservation districts can help mediate issues in the planning and management process and they should be strengthened.

Sales and Transfers

- *Compensation*
 - **Po8b** If we are going to sell water out-of-state the people of the county the water is coming from should be compensated fairly, like oil & gas is done.
- *Control*
 - **Po13** Does OKC have the right to pay off the debt for Lake Sardis and take control of the Lake, thus leaving Clayton completely out of it?
- *Interstate*
 - **Po9** I suggest if we are going to sell water to Texas, we should agree to sell it, and tell them they can have all they want, but it has to be treated water. This will discourage overuse downstream if we set the price properly.
 - **Po11** I am concerned if we sell water to Texas, from below Hugo Lake (this would be diverting water out of the Red River and increasing the salinity), what affect would this have on downstream states who use this water for irrigation. Could they come back and sue us over this diversion?
- *Intrastate*
 - **Po1a** Eighty percent of Oklahoma's population relies on cities and towns for their water supplies and these need to be protected now and in the future. Water should not be taken away from an area and transferred somewhere else only to leave communities in that area with an inadequate supply.
 - **Po15** The movement of water from one watershed to another should be taken into consideration in the planning process. By moving that water around do we know what happens to the ecosystems of the watershed the water is being moved to or from? If they put that water into a small watershed or stream it may increase the flow and adversely affect the ecosystem.

Watershed Management

- **Po14a** You can't talk about water quantity without talking about water quality. Just because you have a lot of water doesn't mean it is good, usable water. In spite of all the efforts being done to improve the water quality, it is not where it was 30 years ago. The quality of life is not improved by degrading water. Sometimes you don't realize that the

quality is decreasing and you lose that sense of what the original baseline was because it shifts. This makes it difficult to determine how much the quality has deteriorated. We need better watershed monitoring so we know what the baselines are. There should be better watershed management to improve the quality.

Water Sources

Climate

- **Po2** How is global warming, in particular the melting of the ice caps, going to affect our drinking water? The plan should take this into account.

Water Uses

Agricultural Use

- **Po6a** The Glover River and Lee Creek have been designated as scenic rivers. Drinking water, industrial and other uses tend to be put in front of environmental and recreational concerns. Non-point source pollution has continued to be a significant problem but point source has been controlled well in this area. The CAFOs should have to pay for their own clean-up rather than the taxpayers of Oklahoma.

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