

CITY COUNCIL CONFERENCE MINUTES

December 18, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:30 p.m. in the Municipal Building Conference Room on the 18th day of December, 2012, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
ABSENT:	None

Item 1, being:

PRESENTATION FROM RANDY WORDEN, EXECUTIVE DIRECTOR OF CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT, CONCERNING RECENT ACTIVITIES AND PROJECTS UNDERTAKEN BY THE DISTRICT.

Mr. Randy Worden, Executive Director of the Central Oklahoma Master Conservancy District (COMCD), updated Council on the drought, federal legislation, reuse study, non-reuse alternatives, and status of Total Maximum Daily Load (TMDL). He said Oklahoma has been in a drought for two and one half years and, according to the National Weather Service, the drought will continue to persist and intensify. He said Oklahoma is in an extreme to exceptional drought that could be equivalent to the 1950's record drought in Oklahoma. He said projections through June 2013, indicate a dryer than normal spring, which does not bode well for Lake Thunderbird and the water supply. He said experts in Washington, D.C., expect the drought to continue over the next two to three years.

Mr. Worden said COMCD will be issuing a letter to all members in early January 2013, that Lake Thunderbird is at near record lows and with the anticipation of an extended drought, COMCD will be asking cities to implement conservation methods. He said COMCD requested the Bureau of Reclamation do a modeling of Lake Thunderbird by projections of the last two years of drought through 2018 and results should be available soon.

Mr. Worden said the Lake Thunderbird Efficient Use Act of 2011 is a three year effort to obtain federal legislation to allow importation of water into Lake Thunderbird, which would allow water to be brought in from existing lakes or construction of new lakes. He said legislation has been approved by the House of Representatives and has been forwarded to the Senate, but may not pass this year and if that happens COMCD will have to restart the process.

Mr. Worden said COMCD contracted with Allen Plumber and Associates to conduct a Lake Thunderbird Water Reuse Feasibility Study, which was partially funded by the Bureau of Reclamation. He said five options were 1) using treated effluent from the Norman Wastewater Treatment Plant (WWTP), treating it to a higher standard, and pumping it into Dave Blue Creek, a tributary of Lake Thunderbird; 2) using treated effluent from the City of Moore, retreating it, then discarding the water into the Little River; 3) treat Canadian River water and discharge into a lake tributary; 4) treat Canadian River water and send the water directly to Norman's Water Treatment Plant (WTP); and 5) treating effluent from the City of Moore and City of Norman and returning the water to Lake Thunderbird. He said the fifth option would be the best because it would provide a reliable water supply of 16 1/2 million gallons (MGD) of reclaimed water per day. He said of the member cities, Norman is in the worst shape from a water supply standpoint.

Mr. Worden said there would be three phases to Option Five. Phase I would supply 5 MGD of reclaimed water to Lake Thunderbird from the City of Moore. Phase II would supply a cumulative total of 10 MGD of reclaimed water to Lake Thunderbird in 2020 by augmenting the lake with five MGD from Norman's WWTP. Phase III would supply a cumulative total of 15 MGD of reclaimed water to Lake Thunderbird in 2031 by expanding the Norman booster pump station to convey a total of ten MGD of reclaimed water. He said 15 MGD would meet supply needs through 2040.

Item 1, continued:

Mr. Worden said capital costs for all three phases is \$44 million. He said using the City of Moore's effluent is an economic decision because it is the cheapest and easiest to use. He said one hurdle is negotiating with the City of Moore for the effluent, but the biggest hurdle will be dealing with the Department of Environmental Quality (DEQ) over reuse. Mayor Rosenthal asked if the City of Moore has commented on this option and Mr. Worden said yes, none of the comments have been adversarial, but there are questions. He said the City of Moore has a contract with Oklahoma Gas and Electric Company (OG&E) to supply cooling water to power plants; however, OG&E has not utilized that to date so the water has been discharged into the Canadian River.

Mr. Worden highlighted non-reuse alternatives that include participating with Oklahoma City Water Utilities Trust in their effort to bring water from the Kiamichi River and Sardis Lake. He said bringing water from Kaw Lake in Osage would be one of the most expensive alternatives, but there are 80,000 to 81,000 acre feet of available water which would service not only the needs of Norman, but also the potential needs of Stillwater, Edmond, and other Oklahoma towns as well.

Non-Reuse Alternative #1 – Southeast Oklahoma

Non-Reuse Alternative #1 in Southeast Oklahoma would parallel the Atoka Pipeline from McGee Creek to Lake Thunderbird. The pipeline would cross at Lake Thunderbird and a discharge would occur at that point.

Non-Reuse Alternative #2 – Kaw Reservoir

Kaw Reservoir - Stillwater and Edmond may choose to partner with Norman as this alternative could potentially service the water needs for those cities as well as Norman.

Non-Reuse Alternative #3 – Scissortail Reservoir

This alternative looked at partnering with the City of Ada (Ada), along with other cities, for the construction of Scissortail Lake, directly west of the Ada. The water would be pumped to Lake Thunderbird in Norman.

Non-Reuse Alternative #4 – Parker Reservoir

Construction of Parker Reservoir, which would straddle Hughes and Coal Counties, is located approximately 25 to 28 miles east of the Ada. The alternatives for Parker Reservoir and Scissortail Reservoir look much alike in reference to the cost aspect as well as having identical pipeline routes from Ada to Lake Thunderbird. Parker Reservoir would yield almost double what Scissortail Lake would yield therefore supplying a lot more water to Ada, Norman, and other cities. COMCD also anticipates there being less issues with the Parker Reservoir, i.e. endangered species and tribal issues.

Comparative Costs Analysis

Option 5 - effluent from the City of Moore Waste Water Treatment Plant (WWTP) would be the fastest option in terms of permitting, have the least cost at \$121,372,374, and require pumping and additional treatment. He said this could be the first project under the new reuse regulations that DEQ would address. The Scissortail Reservoir would be the next least costly option at \$270,854,548, followed by Parker Reservoir at \$297,942,094.

Mr. Worden said COMCD went through a long litigation process with the Oklahoma Department of Environmental Quality (ODEQ) on completing a TMDL study for Lake Thunderbird and its watershed. He said ODEQ hired a contractor in March 2011, but did not give an end date or timeline for review. COMCD took ODEQ back to court and received an order for a firm end date of November 30, 2012. Mr. Worden said ODEQ delivered a draft TMDL to Environmental Protection Agency (EPA) on November 30, 2012, but EPA does not have a timeline to review the TMDL. He said the review process will include a 45-day public comment period. He said COMCD received a draft copy of the TMDL on December 7, 2012, and is currently reviewing the study.

Item 1, continued:

Councilmember Spaulding asked if ODEQ will have a date on when they will deliver a Category 1 - non-potable reuse class one water and Mr. Worden said he did not have that answer, but legislation was very specific that ODEQ develop the regulation by appointing a review committee to work with ODEQ on the regulations. Mr. Worden said COMCD met with ODEQ in September 2012, and what he took away from the meeting was ODEQ felt they already have regulations that address non-potable reuse class one water. He said ODEQ believes they have met the letter of the law by appointing the review committee and they are done. Mr. Ken Komiske, Director of Utilities, felt ODEQ did not want to be in charge of regulating Category 1 – non-potable reuse class one water. Mr. Komiske felt the ODEQ Board needed to be more educated in regard to the technical aspects and at the September 2012, meeting, ODEQ did not favor non-potable reuse class one water. He said ODEQ planned to break the regulatory committee into two categories, a technical group and a regulatory group. Mr. Komiske said ODEQ's next meeting on this topic is scheduled for January 2013, which will be more of an educational meeting for ODEQ's Board to discuss and review accomplishments of approximately 36 other states and/or cities in reference to the non-potable reuse class one water.

Councilmember Spaulding said he did not understand the holdup if ODEQ felt the Category 1 issue has been addressed and Mr. Komiske said in order to discharge from any WWTP, a permit needs to be obtained. Mr. Komiske said ODEQ does not have regulations in place that allow *intentionally* in-direct potable reuse. He said the only ODEQ regulations in place are for *un-intentional* in-direct potable reuse. Mr. Worden said when ODEQ regulations were developed, the regulations were only for Class 2 through Class 4 water(s), specifically leaving Class 1 for future discussion. He said at this stage, ODEQ feels there are enough regulations to bring a Class 1 non-potable re-use water project forward for review. Mr. Worden said ODEQ has yet to see a project of this magnitude and COMCD is at the point of trying to decide whether additional funding needs to be spent in order to finish the engineering work that is necessary to develop the project before submitting the application to ODEQ for a permit, while feeling the likelihood of an application/permit being approved is low.

Councilmember Kovach asked Mr. Worden if the costs determined within the Study will be presented to COMCD member cities, i.e., Norman, Midwest City, and Del City and Mr. Worden said that will need to be discussed with not only the City of Norman, but the other COMCD member cities as well. Mr. Worden said decisions such as: 1) whether or not to move forward with a reuse option, 2) re-draft contracts, especially if Midwest City (MWC) and/or Del City do not wish to participate; and 3) if MWC and Del City do not wish to participate, determine whether COMCD or the City of Norman will take the lead on the reuse issue.

Councilmember Kovach said in the draft COMCD report, COMCD is recommending a 35% reduction in nutrient loading and asked if COMCD would be interested in partnering in construction of wetlands, if some of those wetlands were identified on state property close to Lake Thunderbird. Mr. Worden said that would be the COMCD Board of Director's decision.

Councilmember Kovach asked Mr. Worden to talk about the letter COMCD will be sending to member cities regarding the implementation of conservation methods and Mr. Worden said COMCD is requesting member cities initiate reductions up to 10%. Mr. Worden said he is meeting with the Bureau of Reclamation on December 12, 2012, and will have a better understanding of what could happen if the drought continues as it has for the last couple of years. He said knowing there is no legislation regarding water reuse and no reuse projects underway, conservation will be necessary. Mr. Worden said conservation is the least costly of all the options but will require reduction in irrigation and possibly include no lawn irrigation this summer. He said if the drought outlook continues as it is now, Oklahoma will not only reach the drought record of the 1950's but exceed it in February 2013.

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Item 1, continued:

Mayor Rosenthal said she appreciates Mr. Worden coming and sharing the drought information and Lake Thunderbird Water Reuse Feasibility Study with Council and said the City of Norman looks forward to working with COMCD to resolve these issues.

Items submitted for the record

1. PowerPoint presentation entitled, "Central Oklahoma Master Conservancy District Drought Outlook - Activity Update for the City of Norman City Council," dated December 18, 2012

Participants in discussion

1. Mr. Randy Worden, Executive Director, Central Oklahoma Master Conservancy District (COMCD)
2. Mr. Ken Komiske, Director of Utilities

The meeting adjourned at 6:12 p.m.

ATTEST:

City Clerk

Mayor