

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, EXPRESSING SUPPORT FOR THE TRANSFER OF TITLE OF THE NORMAN PROJECT (LAKE THUNDERBIRD) TO THE CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT ("COMCD"); REQUESTING COMCD UNDERTAKE A LONG TERM OPERATIONAL ANALYSIS AND COST OF SERVICE STUDY TO ASSIST THE BOARD AND THE MEMBER CITIES IN DETERMINING LONG TERM IMPACTS; AND URGING COMCD TO PRESERVE THE RECREATIONAL ASPECTS OF THE LAKE SHOULD TITLE TRANSFER BE ACHIEVED.

- § 1. WHEREAS, the Bureau of Reclamation ("BOR") was established in 1902 and is charged with managing, developing, and protecting water and related resources in the interests of the American public; and
- § 2. WHEREAS, the BOR is best known for the dams, power plants, and canals it has constructed in the seventeen western states to provide water and power and promote the economic development of the West; and
- § 3. WHEREAS, the Little River basin was identified by the BOR as a possible reservoir site in the late 1940's and early 1950's; and
- § 4. WHEREAS, a plan to construct one large reservoir and dam on the Little River was introduced in 1954, which would serve primarily to provide flood control and address water supply problems in nearby cities, including Norman, Midwest City and Del City; and
- § 5. WHEREAS, the Central Oklahoma Master Conservancy District ("COMCD") was formed by decree of the District Court of Cleveland County, Oklahoma on September 10, 1959; and
- § 6. WHEREAS, the Norman Project was authorized under Public Law 86-529, 86th Congress, 2nd Session, on June 27, 1960; and
- § 7. WHEREAS, planning and construction funds for the Norman Project were authorized in the 1961 and 1962 Public Works Appropriation Bills, respectively; and
- § 8. WHEREAS, COMCD and the United States entered into an agreement on September 5, 1961, for the construction, operation and maintenance of the Norman Project and for the repayment of the reimbursable costs of construction, operation and maintenance; and
- § 9. WHEREAS, the Cities of Norman, Midwest City and Del City each entered into separate contracts with the COMCD on September 5, 1961; and



- §10. WHEREAS, pursuant to each respective agreement with COMCD, each member city has a proportionate share of representation on the COMCD Board of Directors to ensure the District meets its obligation to supply water to the member cities; and
- §11. WHEREAS, each member city's agreement with COMCD allocated proportionate shares of the water supply from the Norman Project as well as project costs; and
- §12. WHEREAS, pursuant to the agreement with COMCD in 1961, through fiscal year ending 2018, the cities have paid more than \$58,000,000 in construction costs, interest, and operation and maintenance of the Norman Project; and
- §13. WHEREAS, although COMCD, through proportionate contributions from its member cities, has paid for the construction, operation and maintenance of the Norman Project, the federal government maintains title to the Project; and
- §14. WHEREAS, the federal government has an agreement with the Oklahoma Tourism and Recreation Department for the management of the secondary benefits of the Norman Project - recreation and fish and wildlife enhancements; and
- §15. WHEREAS, under BOR's Framework for the Transfer of Title of Bureau of Reclamation Projects, BOR will support a Congressional act to transfer title of BOR projects to project beneficiaries if certain criteria are met, including consent of other project beneficiaries, protection of the taxpayers interest, protection of the public aspects of the project, and compliance with the National Environmental Policy Act; and
- §16. WHEREAS, notice to and consultation with any impacted Native tribes is required before any action to transfer title can occur; and
- §17. WHEREAS, the Oklahoma Tourism and Recreation Department has requested that title to the Norman Project be transferred to the State of Oklahoma for the Tourism and Recreation Department to manage and such request has been denied by BOR; and
- §18. WHEREAS, COMCD has communicated an interest to the member cities in transfer of title of the Norman Project to COMCD; and
- §19. WHEREAS, BOR will require the consent of the Oklahoma Tourism and Recreation Department to title transfer prior to considering the transfer of any assets of the Norman Project to COMCD; and
- § 20. WHEREAS, COMCD has expressed a desire to preserve the secondary benefits of the Norman Project – recreation and fish and wildlife enhancements, if title transfer of the Norman Project to COMCD is approved.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- §21. That, having funded the Norman Project and its continued operation, Norman, Midwest City and Del City have a vested interest in the preservation of all aspects of the Norman Project for future generations; and
- §22. That, COMCD is the most appropriate party to protect the interests of the taxpayers that funded the Norman Project, the water users, and manage the Norman Project and its primary purpose of water supply; and
- §23. That, transfer of title of the Norman Project from the federal government to COMCD should be pursued; and
- §24. That, an integral first step in the process of pursuing the transfer of title to the Norman Project would be for COMCD to undertake a long term operational analysis and cost of service study to better inform the member cities' and the COMCD Board of Directors' ultimate decision to pursue title transfer; and
- §25. That, should transfer of title of the Norman Project to COMCD be achieved, COMCD should take all necessary steps to ensure preservation of the recreational aspects of the Project.

PASSED AND ADOPTED THIS ____ DAY _____, 2018.

CITY OF _____

Mayor

ATTEST:

City Clerk