



United States Department of the Interior

BUREAU OF RECLAMATION
Great Plains Region
Oklahoma-Texas Area Office
5316 HWY 290 West, Suite 110
Austin, TX 78735-8931

OFFICE OF
CITY MANAGER
NOV 07 2018
cc: KK, BH, JB
11-7-18 SP

IN REPLY REFER TO:

OK-PB
2.2.3.19

NOV 06 2018

Ms. Mary Rupp
Interim City Manager
City of Norman
P.O. Box 370
Norman, OK 73070

Subject: Proposed Title Transfer of Single Purpose Assets at the Norman Project, Oklahoma to the Central Oklahoma Master Conservancy District

Dear Ms. Rupp:

The Central Oklahoma Master Conservancy District (District) is pursuing transfer of title to the single-purpose municipal water supply assets associated with the Norman Project. Title to these facilities is currently held by the United States and administered through the Bureau of Reclamation (Reclamation). The District has requested title to the District headquarters/maintenance compound, the Reservoir Pumping Plant, the Relift Pumping Plant, and the Del City, Midwest City, and Norman Aqueducts, all of which are considered single-purpose assets. The District operates these facilities under contract with the United States, and repaid the debt obligation associated with construction of these facilities.

Reclamation has prepared a Project Scoping Document (enclosed) to gather information and input from project beneficiaries about the proposed action. We request that the City of Norman (City) review the Project Scoping Document and provide a letter of concurrence supporting the proposed transfer of single-purpose municipal water supply assets to the District, or provide written objections if there are substantive reasons why such a transfer should not occur. Please submit a response within 45-days from the date of this letter. Non-receipt of written response will indicate that the City concurs with the proposed title transfer.

Please contact Mr. James Allard, Deputy Area Manager, at 405-470-4810 or at jallard@usbr.gov if you have any questions or require additional information in the meantime.

Sincerely,

Mark A. Trevino
Area Manager

Enclosure

cc: Mr. Randy Worden
District Manager
Central Oklahoma Master Conservancy District
12500 Alameda Drive
Norman, OK 73026

Dr. Roger Frech
2914 Trailridge Dr.
Norman, OK 73072
(w/encl to each)

November 1, 2018

**PROPOSED TITLE TRANSFER OF SINGLE-PURPOSE
MUNICIPAL WATER SUPPLY ASSETS
DRAFT ENVIRONMENTAL ASSESSMENT
PROJECT SCOPING DOCUMENT**

Oklahoma Texas Area Office
Area Manger: Mark Treviño
Deputy Area Manger: James Allard

PROJECT PURPOSE

The Central Oklahoma Master Conservancy District (District) is pursuing a transfer of title to the single-purpose municipal water supply assets associated with the Norman Project. Title to these facilities is currently held by the United States and administered through the Bureau of Reclamation (Reclamation). The District has requested title to the District headquarters/maintenance compound, the Reservoir Pumping Plant, the Relift Pumping Plant, and the Del City, Midwest City, and Norman Aqueducts, all of which are considered single-purpose assets. If transferred, the United States will divest its interest in, and responsibility for, these single-purpose municipal water supply assets within the Norman Project. The District will take ownership and manage these assets to meet their current needs in compliance with all Federal, State, and local laws, and in conformance with a forthcoming Title Transfer Agreement and legislation needed to authorize such a transfer.

An Environmental Assessment (EA) will be prepared in compliance with the National Environmental Policy Act (NEPA) to document and disclose any potential effects to the quality of human environment which would result from the proposed change in ownership of these assets. As part of the NEPA process, Reclamation will consult with Native American Tribes affiliated with the project area and other entities as required by Section 106 of the National Historic Preservation Act of 1966 (NHPA). Project maps showing the location of Project features proposed for transfer are included with this scoping document.

BACKGROUND

The Norman Project, located in Cleveland County, Oklahoma, is owned by the United States and administered by Reclamation. The Norman Project was authorized by Public Law 86-529 on June 27, 1960. The primary purpose of the project is to store, regulate, and furnish municipal, domestic, and industrial water to the central Oklahoma cities of Norman, Midwest City, and Del City. The municipal water assets at the Norman Project, including Norman Dam, are operated and maintained by the District under Contract No. 14-06-500-590, as amended, with Reclamation. Secondary project purposes include flood control, providing for the conservation and development of fish and wildlife resources, and enhancing public recreational opportunities.

The Bureau of Reclamation began project construction on August 1, 1962 with water impoundment beginning on September 8, 1964. Project construction was completed in March 1965. The principle features of the Norman Project are the Norman Dam located on the Little River approximately 13 miles east of Norman; two pumping plants, and two pressure pipelines originating at the reservoir pumping

plant. The two pressure pipelines provide water to the cities of Norman, Midwest City, and Del City. One pipeline provides water directly to Norman, and the second pipeline delivers water to a re-lift pumping plant which then pumps water through separate pipelines to Del City and Midwest City.

CRITERIA FOR TITLE TRANSFER

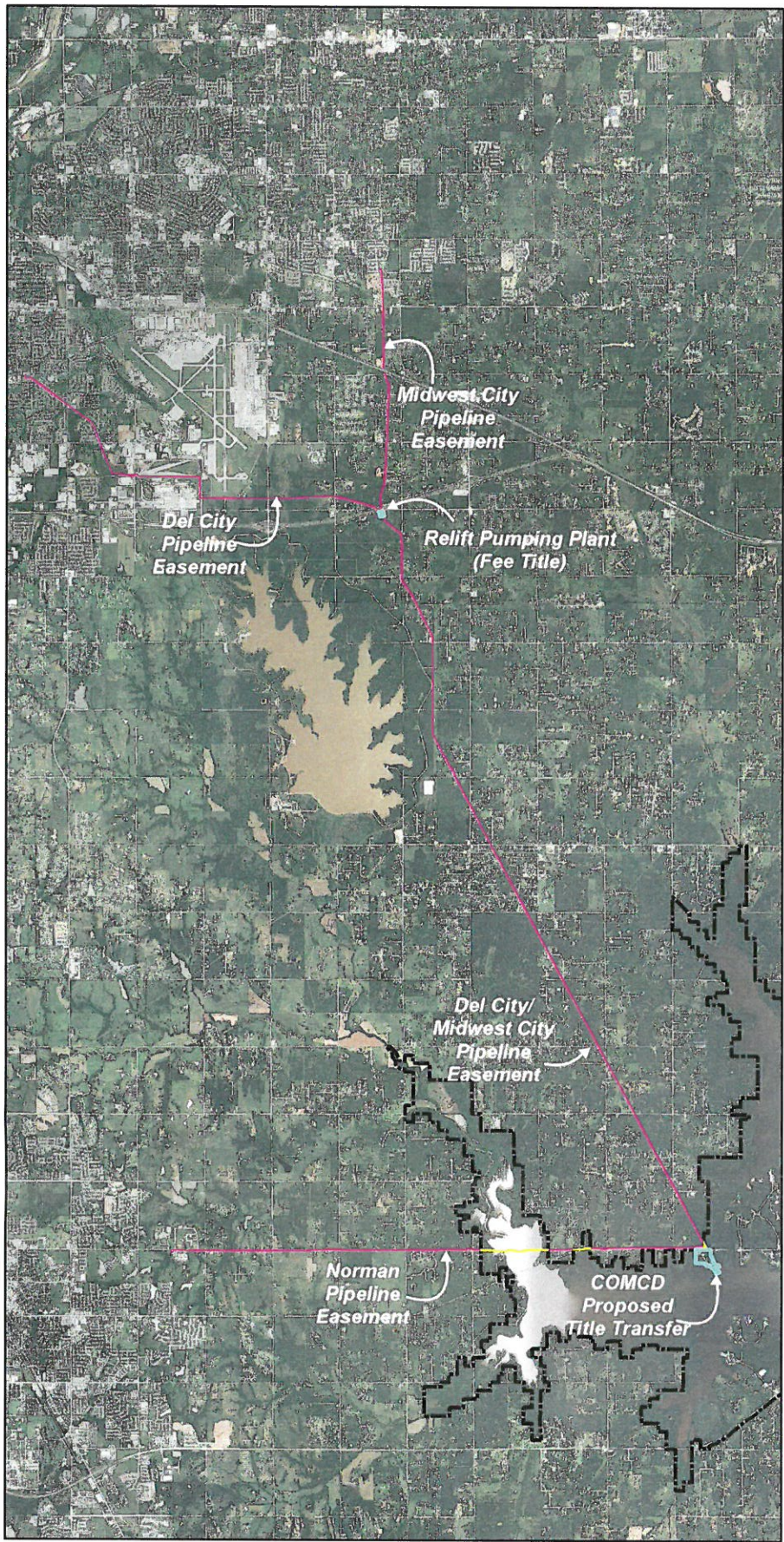
In September of 2004, Reclamation established the Framework for the Transfer of Title for Bureau of Reclamation Projects (Framework) to provide criteria and guidance for transferring title of Reclamation facilities that could be efficiently and effectively managed by nonfederal entities. The following are the six major criteria followed with an explanation of how these criteria have been or will be satisfied that must be met before any project is transferred:

1. The Federal Treasury, and thereby the taxpayer's financial interest, must be protected. *The District has fulfilled its repayment obligation to the United States for construction of the single-purpose municipal water supply assets proposed for transfer. The District has efficiently and effectively operated and maintained the single-purpose municipal water supply assets since construction of the Project was completed in March 1965, and funds 100% of the cost of operation and maintenance for these assets. The District has also entered into a Memorandum of Agreement with Reclamation to identify responsibilities and provide funding for its share of the costs associated with the title transfer.*
2. There must be compliance with all applicable State and Federal laws. *Public Law 86-529 which authorized construction of the Norman Project, does not authorize Reclamation to divest itself of title to any portion of the Norman Project. Therefore, Congressional action would be required to authorize transfer of title to these assets. Such a federal action would be subject to compliance with NEPA and NHPA.*
3. Interstate compacts and agreements must be protected. *There are no interstate compacts or agreements applicable to the proposed action.*
4. The Secretary's Native American trust responsibilities must be met. *If Reclamation proceeds with the title transfer process, Native American Tribes affiliated with the project area will have an opportunity to comment on the Cultural Resources Survey and the draft EA.*
5. Treaty obligations and international agreements must be fulfilled. *There are no treaty obligations or international agreements associated with this proposed action.*
6. The public aspects of the project must be protected. *There would be no change to flood control operations, recreation, or fish and wildlife benefits/opportunities currently available to the public, and the current administration of Lake Thunderbird State Park by the Oklahoma Tourism and Recreation Department (OTRD) would continue without change. The single-purpose municipal water supply assets are not open for public use, and the public will have an opportunity to review and comment on the draft EA.*

In accordance with the Framework, title transfers must have the consent of the other project beneficiaries, and if any of the project beneficiaries raise *substantive* objections which cannot be resolved, ownership will remain with the Federal Government. A beneficiary refers to (i) contractors and others who receive direct benefits under the authorized purposes for that project and (ii) non-Federal governmental entities in the Project area. Per this definition, the following entities have been identified as Project beneficiaries of the Norman Project:

- Oklahoma Tourism and Recreation Department which operates Lake Thunderbird State Park under contract 10-XX-6H-0051 between OTRD, Reclamation, and COMCD

- City of Norman, City of Midwest City, and City of Del City which contract with COMCD for delivery of the municipal water supplies
- Oklahoma Department of Wildlife Conservation which manages the Lake Thunderbird Fishery
- Absentee Shawnee Tribe; Muscogee (Creek) Nation; Citizen Potawatomi Nation; and the Seminole Nation of Oklahoma whose historical tribal boundaries encompass all or part of the Project land



COMCD Proposed Title Transfer - Norman Project

- Legend
- Proposed Transfer in Fee Title
 - Proposed Transfer of New Easement
 - Proposed Transfer of Existing Easement
 - Reclamation Boundary

