

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 585

By: Bingman

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6 AS INTRODUCED

7 An Act relating to water permits; amending Section 1,  
8 Chapter 365, O.S.L. 2003 (82 O.S. Supp. 2010, Section  
9 1020.9A), which relates to sensitive sole source  
groundwater basins; updating statutory reference; and  
providing an effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 1, Chapter 365, O.S.L.  
15 2003 (82 O.S. Supp. 2010, Section 1020.9A), is amended to read as  
16 follows:

17 Section 1020.9A A. The Legislature finds that a moratorium is  
18 necessary on the issuance of certain temporary permits on certain  
19 sensitive sole source groundwater basins or subbasins to protect the  
20 health, safety and welfare of the people of Oklahoma.

21 B. 1. A moratorium is hereby established on the issuance of  
22 any temporary permit that would lead to any municipal or public  
23 water supply use of groundwater from a sensitive sole source  
24 groundwater basin or subbasin outside of any county that overlays in

1 whole or in part said basin or subbasin. "Sensitive sole source  
2 groundwater basin" means a major groundwater basin or subbasin all  
3 or a portion of which has been designated as a "Sole Source Aquifer"  
4 by the United States Environmental Protection Agency pursuant to the  
5 Safe Drinking Water Act as of the ~~effective date of this act~~ August  
6 29, 2003, including any portion of any contiguous aquifer located  
7 within five (5) miles of the known areal extent of the surface out-  
8 crop of the sensitive sole source groundwater basin.

9 2. Said moratorium shall be in effect until such time as the  
10 Oklahoma Water Resources Board conducts and completes a hydrological  
11 study and approves a maximum annual yield that will ensure that any  
12 permit for the removal of water from a sensitive sole source  
13 groundwater basin or subbasin will not reduce the natural flow of  
14 water from springs or streams emanating from said basin or subbasin.

15 3. The provisions of this act shall be applicable to  
16 groundwater permit applications for which no final adjudication has  
17 been made by the Oklahoma Water Resources Board before the effective  
18 date of this act.

19 4. Any revalidation of a temporary permit, in effect upon the  
20 effective date of this act, that allows for any municipal or public  
21 water supply use of groundwater from a sensitive sole source  
22 groundwater basin outside of any county that overlays in whole or in  
23 part said basin shall be considered a new permit application and  
24 subject to the provisions of this act.

1 SECTION 2. This act shall become effective January 1, 2012.

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