

Legislators: study violates the law

By Doug Russell
News Editor

Four legislators from Southeast Oklahoma have gone to the attorney general about the Oklahoma Comprehensive Water Study, stating that they believe there are a variety of legal problems with the way the study was conducted.

State Reps. Brian Renegar, D-Blanco, and Ed Cannaday, D-Porum, joined by Sens. Richard Lerblance, D-Hartshorne, and Jerry Ellis, D-Valliant, have requested an official Attorney General's Opinion on two specific points.

An Attorney General's Opinion is an interpretation of existing law about a specific issue and has the force of law unless or until that opinion is overturned by a court.

In their request to Attorney General Scott Pruitt, the four Southeast Oklahoma legislators specifically ask him to look at whether the law setting up the Comprehensive Water Study was followed, and whether there was a conflict of interest in

the way the study was conducted.

According to Renegar, "The Comprehensive Water Plan's Enabling Act has not been honored. The enabling act specifically states what is to be covered by the statute. The law creating the Comprehensive Water Study 'shall be to maximize and not minimize the alternatives available to all citizens, municipalities and other water user entities in acquiring water for beneficial use.'"

But representatives of the Oklahoma Water Resources Board and other groups involved in the study said at a variety of "feedback meetings" that non-consumptive water use, such as the use of water for recreation, was not studied. Instead, the only things that were studied is how water in the state could be used for different water suppliers.

Cannaday was specifically told, during the meeting, that those conducting the study didn't look at water for recreational purposes. "That statement alone violates the

enabling act," Cannaday said.

Renegar went on to support Representative Cannaday's comment by adding, "The incomplete study of aquifers also violates the enabling act, as those people in areas of the state whose sole source of water has not been addressed, as relates to the language of 'all citizens, municipalities, and other water user entities.'"

The second point of the Attorney General request pertains to conflict of interest on the part of CDM Engineering.

Ellis said, "CDM engineering had contracts with the Comprehensive Water Plan and simultaneously worked for the Oklahoma City Water Trust authority in a contract to bring Sardis Lake water to Oklahoma City."

"The validity of either of these two issues in the opinion request casts a dim shadow on the Comprehensive Water Study, which is a shame, considering the large amount of money spent on this

plan," Lerblance said.

Jeri Fleming, of the Oklahoma Water Resource Research Institute, which provided much of the information in the study, said during the "feedback meeting" in Stigler that, "The state has 21 major alluvial and bedrock aquifers, but they have only been able to study half of them." She also stated, "We must have a state Drought Management Plan. It was written in 1997 and hasn't been updated since then."

The OWWRI and the Oklahoma Water Resources Board conducted the series of feedback meetings shortly after releasing a draft of the proposed Comprehensive Water Study. The meetings, rather than telling the public what the study found, primarily focused on how portions of the study were conducted, then asked for feedback on the draft Comprehensive Water Plan from the public. As released, the draft plan is hundreds of pages long, with a majority of the space given to how the "study" was conducted.