

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2239

By: Dobrinski

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6 AS INTRODUCED

7 An Act relating to water preservation; creating the
8 Terry Peach North Canadian Watershed Restoration Act;
9 defining terms; creating certain pilot program;
10 authorizing Oklahoma Conservation Commission to
11 utilize certain funds; stating purpose of pilot
12 program; listing certain Commission duties;
13 authorizing the promulgation of rules and procedures;
14 creating the North Canadian Watershed Restoration
15 Fund; providing for content of fund; providing for
16 deposits and expenditures; repealing 2 O.S. 2021,
17 Section 16-73, which relates to Tamarix ssp;
18 providing for codification; and providing an
19 effective date.

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

26 SECTION 1. NEW LAW A new section of law to be codified
27 in the Oklahoma Statutes as Section 3-8-101 of Title 27A, unless
28 there is created a duplication in numbering, reads as follows:

29 This act shall be known and may be cited as the "Terry Peach
30 North Canadian Watershed Restoration Act".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3-8-102 of Title 27A, unless
3 there is created a duplication in numbering, reads as follows:

4 A. As used in the Terry Peach North Canadian Watershed
5 Restoration Act:

6 1. "Commission" means the Oklahoma Conservation Commission;

7 2. "Invasive woody species" means a tree or shrub species that
8 is likely to cause harm to the environment or economy. Invasive
9 woody species include, but are not limited to, Eastern Redcedars and
10 Tamarisk; and

11 3. "North Canadian Watershed" means the area of land in
12 Oklahoma that drains or sheds water into the North Canadian River.

13 B. There is hereby created a pilot program to remove or
14 eradicate invasive woody species in the North Canadian Watershed to
15 be administered by the Oklahoma Conservation Commission. To
16 accomplish the goals listed in this section, the Commission is
17 authorized to use the funds available in the North Canadian
18 Watershed Restoration Revolving Fund established in Section 3 of
19 this act. The purpose of the program is to eradicate invasive woody
20 species that create significant wildfire risk and reduce water flow
21 into the North Canadian River.

22 C. In administering the pilot program, the Commission shall:

23 1. Cooperate with landowners, state agencies, and other
24 political subdivisions for removal of invasive woody species;

1 2. Measure the density of invasive woody species and estimate
2 water used by those species;

3 3. Create a study using a parallel watershed with no control of
4 invasive woody species;

5 4. Utilize available funds to cost share with landowners for
6 expenses incurred in eradication of invasive woody species by
7 prescribed burn, biological controls, mechanical removal, or
8 herbicide applications;

9 5. Develop grant programs with conservation districts, rural
10 fire departments and prescribe burn associations for resources
11 needed for prescribed burns, mechanical removal, or herbicide
12 applications on invasive woody species;

13 6. Bring attention to the problems posed by invasive woody
14 species to create awareness, demonstrate value to all stakeholders,
15 and encourage landowners to participate in the program; and

16 7. Have at least two active project areas in the program, one
17 above the Canton Lake dam and one below.

18 D. The Commission is authorized to promulgate any rules and
19 procedures to effectuate the provisions of this section.

20 SECTION 3. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 3-8-103 of Title 27A, unless
22 there is created a duplication in numbering, reads as follows:

23 There is hereby created in the State Treasury a revolving fund
24 for the Oklahoma Conservation Commission to be designated the "North

1 Canadian Watershed Restoration Revolving Fund". The fund shall be a
2 continuing fund, not subject to fiscal year limitations, and shall
3 consist of all monies received by the Conservation Commission from
4 appropriations, federal grants or funds, municipal contributions,
5 private contributions and any other sources, including interest
6 earned, from the income in the fund that are designated for deposit
7 to such fund or designated for duties associated with invasive woody
8 species removal from the North Canadian Watershed. All monies
9 accruing to the credit of said fund are hereby appropriated and may
10 be budgeted and expended by the Conservation Commission to perform
11 the duties imposed on the Commission by law. Expenditures from said
12 fund shall be made upon warrants issued by the State Treasurer
13 against claims filed as prescribed by law with the Director of the
14 Office of Management and Enterprise Services for approval and
15 payment.

16 SECTION 4. REPEALER 2 O.S. 2021, Section 16-73 is hereby
17 repealed.

18 SECTION 5. This act shall become effective November 1, 2023.

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