

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2239

6 By: Dobrinski

7 COMMITTEE SUBSTITUTE

8 [Water preservation - Terry Peach North Canadian
9 Watershed Restoration Act - program - Oklahoma
10 Conservation Commission - duties - rules -
11 procedures - fund - deposits - expenditures -
12 codification -

13 emergency]

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

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

21 This act shall be known and may be cited as the "Terry Peach
22 North Canadian Watershed Restoration Act".
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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. "Harmful woody species" means a tree or shrub species that
8 is rapidly encroaching into adjoining lands and is likely to cause
9 harm to the environment or economy. Harmful woody species include,
10 but are not limited to, *Juniperus virginiana* (Eastern Redcedar),
11 *Juniperus scopulorum* (Rocky Mountain juniper), *Juniperus monosperma*
12 (oneseed juniper) and *Tamarix ramosissima* (salt cedar); and

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

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

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

2 1. Cooperate with landowners, state agencies, and other
3 political subdivisions for removal of harmful woody species;

4 2. Measure the density of harmful woody species and estimate
5 water used by those species;

6 3. Create a study using a parallel watershed with no control of
7 harmful woody species;

8 4. Utilize available funds to cost-share with landowners for
9 expenses incurred in the eradication of harmful woody species by
10 prescribed burn, biological controls, mechanical removal, or
11 herbicide applications;

12 5. Develop grant programs with conservation districts, rural
13 fire departments, and prescribe burn associations for resources
14 needed for prescribed burns, mechanical removal, biological control,
15 or herbicide applications on harmful woody species;

16 6. Bring attention to the problems posed by harmful woody
17 species to create awareness, demonstrate value to all stakeholders,
18 and encourage landowners to participate in the program; and

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

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

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

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

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

23 SECTION 5. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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