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February 22, 2024

AS AMENDED

SENATE BILL NO. 1398

By: Woods of the Senate

and

Hardin of the House

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[ Oklahoma Conservation Commission - legislative
intent - advisory groups - membership - plan - report
- Revolving Fund - codification - effective date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-7-111 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Spring Creek Watershed Study Act".

B. The Legislature finds that:

1. Increasing pressure from agriculture and residential development as well as stream bank erosion and other activities have led to declining water quality levels in the Northeast Oklahoma Watershed known as Spring Creek located in Cherokee, Delaware, and Mayes counties near Kansas, Oklahoma resulting in increased concern by the residents of the Spring Creek area and citizens of Oklahoma as a whole as to the continued health of the watershed. The once

1 pristine stream is a prime example of how many similar high quality
2 Ozark waterbodies that draw millions of visitors to the area each
3 year, support water supplies for growing urban centers in Oklahoma,
4 and provide habitat for important wildlife and fisheries resources
5 are threatened without cooperative, voluntary protective action by
6 local communities and other stakeholders;

7 2. Improved voluntary land management practices including soil
8 conservation practices, riparian restoration and protection,
9 reforestation, streambank livestock exclusion, and other methods of
10 stewardship have great potential to improve and protect the quality
11 of water in the Spring Creek watershed while improving the
12 ecological health of the area; and

13 3. It is in the interest of the citizens of this state as a
14 whole and the residents of the Spring Creek watershed that the
15 Oklahoma Conservation Commission, in partnership with other local,
16 state, and federal agencies and non-governmental organizations
17 undertake a comprehensive water quality study of Spring Creek to
18 determine the best course of action to protect and improve the
19 health of the aquatic habitat in the watershed.

20 C. It is the intent of the Legislature that the findings of
21 this study will be used to direct implementation of voluntary,
22 incentive-based conservation practices by the Commission in
23 partnership with other local, state, and federal agencies and
24 subject to availability of resources, in the Spring Creek watershed

1 to protect and improve the aquatic habitat and water quality in the
2 area.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 3-7-112 of Title 27A, unless
5 there is created a duplication in numbering, reads as follows:

6 A. There is hereby created the Spring Creek Watershed Water
7 Quality Advisory Group. The group shall be organized and
8 coordinated by the Oklahoma Conservation Commission and local
9 conservation districts, and shall consist of the following members:

10 1. Three members representing the local conservation districts
11 in the watershed;

12 2. Three local landowners, recommended by the conservation
13 districts, who predominantly reside in the watershed full time and
14 who represent major types of land management in the watershed
15 include poultry production, livestock grazing, and forested land
16 management;

17 3. One landowner, recommended by the conservation districts,
18 who predominantly resides outside the watershed;

19 4. One member representing the municipal government of Kansas,
20 Oklahoma;

21 5. One member representing the municipal government of Oaks,
22 Oklahoma; and

23 6. Any other members deemed necessary for inclusion by the
24 Advisory Group.

1 B. In addition to the Advisory Group described in subsection A
2 of this section, a technical advisory group shall be established to
3 support the efforts of the study. Membership of the technical
4 advisory group shall consist of:

5 1. The Secretary of Agriculture or his or her designee;

6 2. The Executive Director of the Department of Environmental
7 Quality or his or her designee;

8 3. One member representing the Natural Resources Conservation
9 Service of the United States Department of Agriculture (USDA NRCS);

10 4. One member representing the Farm Service Agency of the
11 United States Department of Agriculture (USDA FSA);

12 5. One member representing the Grand River Dam Authority;

13 6. One member representing the Department of Wildlife
14 Conservation;

15 7. One member representing the National Watershed Coalition;

16 and

17 8. One member representing the Cherokee Nation.

18 C. Members of the working groups described in this section
19 shall serve without compensation. The Commission shall provide
20 space for meetings of the working groups and shall provide other
21 assistance and staffing needs as they arise.

22 D. The watershed advisory group with support from the technical
23 advisory group shall:

1 1. Advise and assist the Commission in preparing any reports
2 required by this section and in conducting the assessment pursuant
3 to Section 3 of this act;

4 2. Recommend policies or programs to enhance the ability of
5 agricultural and other landowners in the Spring Creek Watershed to
6 participate in voluntary efforts to protect the water quality and
7 aquatic habitat of the region. Such recommendations shall include
8 potential policies or programs designed to optimize existing state
9 and federal resources and initiatives that can be utilized to
10 address water quality issues in the watershed. Such recommendations
11 may include, but not be limited to, actions undertaken under the
12 state water quality program, the USDA FSA Conservation Reserve
13 Enhancement Program (CREP), the USDA NRCS Environmental Quality
14 Incentives Program (EQIP), the USDA Small Watershed Program, the
15 USDA NRCS Conservation Stewardship Program (CSP), the U.S. Partners
16 for Fish and Wildlife Program, the USDA NRCS Agriculture
17 Conservation Easement Program (ACEP), or any other appropriate state
18 or federal voluntary program identified by the working group; and

19 3. Identify and recommend strategies for implementation of the
20 plan created under Section 3 of this act.

21 SECTION 3. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 3-7-113 of Title 27A, unless
23 there is created a duplication in numbering, reads as follows:
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1 A. 1. The Oklahoma Conservation Commission shall, in
2 consultation with the Spring Creek Watershed Water Quality Advisory
3 Group, undertake a comprehensive watershed-based water quality plan
4 designed to improve and protect the water quality and aquatic
5 habitat in the Spring Creek watershed through the utilization of
6 voluntary, incentive-based programs.

7 2. On or before June 1, 2025, the Commission shall publish an
8 electronic report of the findings. The Commission may, from time to
9 time, update such findings as conditions change and pertinent
10 information becomes available.

11 B. The Commission may contract and cooperate with the Natural
12 Resources Conservation Service of the United States Department of
13 Agriculture and the U.S. Environmental Protection Agency to conduct
14 activities provided for in this section.

15 C. The Commission may apply for and accept grants, gifts, or
16 other sources of public and private funds to carry out the purposes
17 of the Spring Creek Watershed Study Act.

18 SECTION 4. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 3-7-114 of Title 27A, unless
20 there is created a duplication in numbering, reads as follows:

21 There is hereby created in the State Treasury a revolving fund
22 for the Oklahoma Conservation Commission to be designated the
23 "Spring Creek Watershed Study Cash Fund Revolving Fund". The fund
24 shall be a continuing fund, not subject to fiscal year limitations,

1 and shall consist of all monies received by the Commission from
2 appropriations by the Legislature to the fund, and any money
3 received as gifts, grants, or other contributions from public or
4 private sources provided for the purpose of implementing the Spring
5 Creek Watershed Study Act. All monies accruing to the credit of the
6 fund are hereby appropriated and may be budgeted and expended by the
7 Commission for the purpose provided for in this act. Expenditures
8 from the fund shall be made upon warrants issued by the State
9 Treasurer against claims filed as prescribed by law with the
10 Director of the Office of Management and Enterprise Services for
11 approval and payment.

12 SECTION 5. This act shall become effective November 1, 2024.

13 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND TELECOMMUNICATIONS
14 February 22, 2024 - DO PASS AS AMENDED
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