

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1398

By: Woods

AS INTRODUCED

An Act relating to the Oklahoma Conservation Commission; creating the Spring Creek Watershed Study Act; providing short title; establishing legislative intent; creating certain advisory groups for certain purposes; establishing membership; directing Commission to take certain actions following certain plan creation; directing report; providing for cooperation with certain third parties; creating the Spring Creek Watershed Study Cash Fund Revolving Fund; establishing fund purpose; providing source of funds; providing for codification; and providing an effective date.

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

1 Watershed known as Spring Creek located in Cherokee, Delaware, and
2 Mayes counties near Kansas, Oklahoma resulting in increased concern
3 by the residents of the Spring Creek area and citizens of Oklahoma
4 as a whole as to the continued health of the watershed. The once
5 pristine stream is a prime example of how many similar high quality
6 Ozark waterbodies that draw millions of visitors to the area each
7 year, support water supplies for growing urban centers in Oklahoma,
8 and provide habitat for important wildlife and fisheries resources
9 are threatened without cooperative, voluntary protective action by
10 local communities and other stakeholders;

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

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

1 C. It is the intent of the Legislature that the findings of
2 this study will be used to direct implementation of voluntary,
3 incentive-based conservation practices by the Commission in
4 partnership with other local, state, and federal agencies and
5 subject to availability of resources, in the Spring Creek watershed
6 to protect and improve the aquatic habitat and water quality in the
7 area.

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

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

15 1. Three members representing the local conservation districts
16 in the watershed;

17 2. Three local landowners, recommended by the conservation
18 districts, who predominantly reside in the watershed full time and
19 who represent major types of land management in the watershed
20 include poultry production, livestock grazing, and forested land
21 management;

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

1 4. One member representing the municipal government of Kansas,
2 Oklahoma;

3 5. One member representing the municipal government of Oaks,
4 Oklahoma; and

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

7 B. In addition to the Advisory Group described in subsection A
8 of this section, a technical advisory group shall be established to
9 support the efforts of the study. Membership of the technical
10 advisory group shall consist of:

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

12 2. The Executive Director of the Department of Environmental
13 Quality or his or her designee;

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

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

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

19 6. One member representing the Department of Wildlife
20 Conservation;

21 7. One member representing the National Watershed Coalition;

22 and

23 8. One member representing the Cherokee Nation.

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1 C. Members of the working groups described in this section
2 shall serve without compensation. The Commission shall provide
3 space for meetings of the working groups and shall provide other
4 assistance and staffing needs as they arise.

5 D. The watershed advisory group with support from the technical
6 advisory group shall:

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

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

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

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 3-7-113 of Title 27A, unless
5 there is created a duplication in numbering, reads as follows:

6 A. 1. The Oklahoma Conservation Commission shall, in
7 consultation with the Spring Creek Watershed Water Quality Advisory
8 Group, undertake a comprehensive watershed-based water quality plan
9 designed to improve and protect the water quality and aquatic
10 habitat in the Spring Creek watershed through the utilization of
11 voluntary, incentive-based programs.

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

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

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

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3-7-114 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
6 "Spring Creek Watershed Study Cash Fund Revolving Fund". The fund
7 shall be a continuing fund, not subject to fiscal year limitations,
8 and shall consist of all monies received by the Commission from
9 appropriations by the Legislature to the fund, and any money
10 received as gifts, grants, or other contributions from public or
11 private sources provided for the purpose of implementing the Spring
12 Creek Watershed Study Act. All monies accruing to the credit of the
13 fund are hereby appropriated and may be budgeted and expended by the
14 Commission for the purpose provided for in this act. Expenditures
15 from the fund shall be made upon warrants issued by the State
16 Treasurer against claims filed as prescribed by law with the
17 Director of the Office of Management and Enterprise Services for
18 approval and payment.

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

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