

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 14

By: Bullard

AS INTRODUCED

An Act relating to water and water rights; creating the Charlette Hearne Heritage River Act; defining term; creating certain river designation; prohibiting impoundment of and sale of water from certain river; granting Oklahoma Water Resources Board authority over provisions of act and promulgation of rules; construing provision; protecting public recreational use of certain river; 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 897 of Title 82, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Charlette Hearne Heritage River Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 898 of Title 82, unless there is created a duplication in numbering, reads as follows:

1 A. As used in this section, "heritage river" means any river or
2 stream that has maintained a free-flowing and undammed status for
3 all of Oklahoma's statehood.

4 B. A heritage river, having been free-flowing and undammed
5 since Oklahoma's statehood, possesses natural elements such as
6 water, fish, wildlife, and outdoor recreational values of present
7 and future benefit to the people of the state. For this purpose,
8 the Glover River in McCurtain County shall be designated a heritage
9 river.

10 C. On or after the effective date of this act, any river
11 designated as a heritage river pursuant to this act shall not be
12 impounded by any dam or structure for industrial purposes and no
13 entity shall sell or transfer water from any heritage river.

14 D. The Oklahoma Water Resources Board shall have authority over
15 the provisions of this act and shall promulgate rules.

16 1. The Oklahoma Water Resources Board shall:

- 17 a. prepare, adopt, and publish management plans and other
18 documents to guide public and private activities and
19 programs,
- 20 b. consider and comment on public and private practices
21 and proposed actions that may affect a heritage river,
22 and

1 c. recommend standards for local government agencies
2 whose political boundaries include all or part of a
3 heritage river;

4 2. The Oklahoma Water Resources Board may:

5 a. own and control public access points for a heritage
6 river, and purchase easements and fee title to land
7 along a heritage river for public purposes which are
8 to be held by the Board as an agency of this state,
9 and

10 b. identify public and private nuisances that adversely
11 affect a heritage river and take lawful action to
12 abate nuisances.

13 E. 1. Nothing in this act shall be construed to unduly
14 restrict or adversely affect the use of property within any heritage
15 river basin for farming, ranching, forestry, silviculture, and other
16 agricultural uses if such uses are not inconsistent with the
17 purposes of this act. Present farming, ranching, forestry,
18 silviculture, and other agricultural uses and practices shall be
19 exempt from the provisions of this act.

20 2. The provisions of this act shall not be construed to affect
21 existing rights between a landowner and a utility or pipeline
22 company.

23 3. The property rights of private landowners adjacent to a
24 heritage river shall be the same as in any other area of the state.

1 The unauthorized use of private property shall be deemed trespassing
2 and subject to the penalties provided for such an offense.

3 4. Nothing in this act shall be construed to restrict public
4 recreational uses of a heritage river.

5 SECTION 3. This act shall become effective November 1, 2023.

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