

SUBJECT: Continuing the Red River Boundary Commission

COMMITTEE: Natural Resources — favorable, without amendment

VOTE: 10 ayes — Larson, Phelan, Ashby, Burns, Frank, Kacal, T. King, Lucio, Price, Workman

0 nays

1 absent — Nevárez

WITNESSES: For — Mike Rickman, North Texas Municipal Water District;
(*Registered, but did not testify:* Charlie Schnabel, Manville Water Supply Corporation)

Against — None

BACKGROUND: In 1999, Oklahoma and Texas entered into the Red River Boundary Compact, established by Natural Resources Code, ch. 12 to define the boundary between the two states along the Red River. Ch. 12 also authorized the Red River Boundary Commission to resolve boundary disputes in the Texoma border area.

In 2000, the Texoma Area Boundary Agreement established the Texas-Oklahoma border, and the Red River Commission was terminated.

In 2013, after questions were raised about whether the new boundary along Lake Texoma had been drawn incorrectly, the 83rd Legislature enacted HB 3212 by Phillips to negotiate and redraw the boundary in the Texoma area by recreating the Red River Boundary Commission. The commission is set to expire on December 31, 2017.

DIGEST: HB 641 would continue the Red River Boundary Commission through 2021 and require the commission to issue a final report on the status of the Texoma boundary area by July 30, 2021.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

**SUPPORTERS
SAY:**

HB 641 would continue negotiations to correct the 2000 redrawing of the Texas-Oklahoma border that inadvertently left pump stations built by the North Texas Municipal Water District on the Oklahoma side of Lake Texoma. A four-year extension of the Red River Commission is needed because the border cannot be changed unless both states agree on an interstate compact that gains congressional approval.

Correcting the border to relocate the water district's pump stations in Texas would give the district unfettered access to a substantial portion of the water available to it without the risk of violating federal law. Although Texas has reached terms with Oklahoma to allow the district to operate its pump stations across the border, the presence of zebra mussels in Lake Texoma complicates the transfer of water. The federal Lacey Act prohibits interstate movement of invasive or endangered species, including zebra mussels, which has required the district to obtain special permission from Congress to pump water from Oklahoma to Texas. The North Texas Municipal Water District serves more than 1.6 million people, and the affected water represents 28 percent of its available supply. HB 641 would solve this issue for the long term, allowing the district to freely pump its water entirely within Texas and eliminating the need to seek congressional approval.

The district also is building a \$300 million pipeline system to move water from Lake Texoma and filter out the zebra mussels before the water is piped to its destination, which is a significant investment in taxpayer money. A border correction would protect this investment and ensure that the district could continue pumping water from its Lake Texoma facility.

The border negotiations advocated by the Red River Commission would not cause Texas or Oklahoma to gain or lose water or territory. The net exchange between the states is expected to be zero.

OPPONENTS No apparent opposition.
SAY: