

Lake Texoma Pipeline

Preventing Interstate Transport of Zebra Mussels

Overview Report



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Invasion

- April 2009 – first zebra mussel found in Lake Texoma



Response



*Major River Basins
In Texas*



- July 2009 – North Texas Municipal Water District stopped pumping water through an interbasin pipeline





Texoma Area Boundary Agreement July 28, 2000

Texas

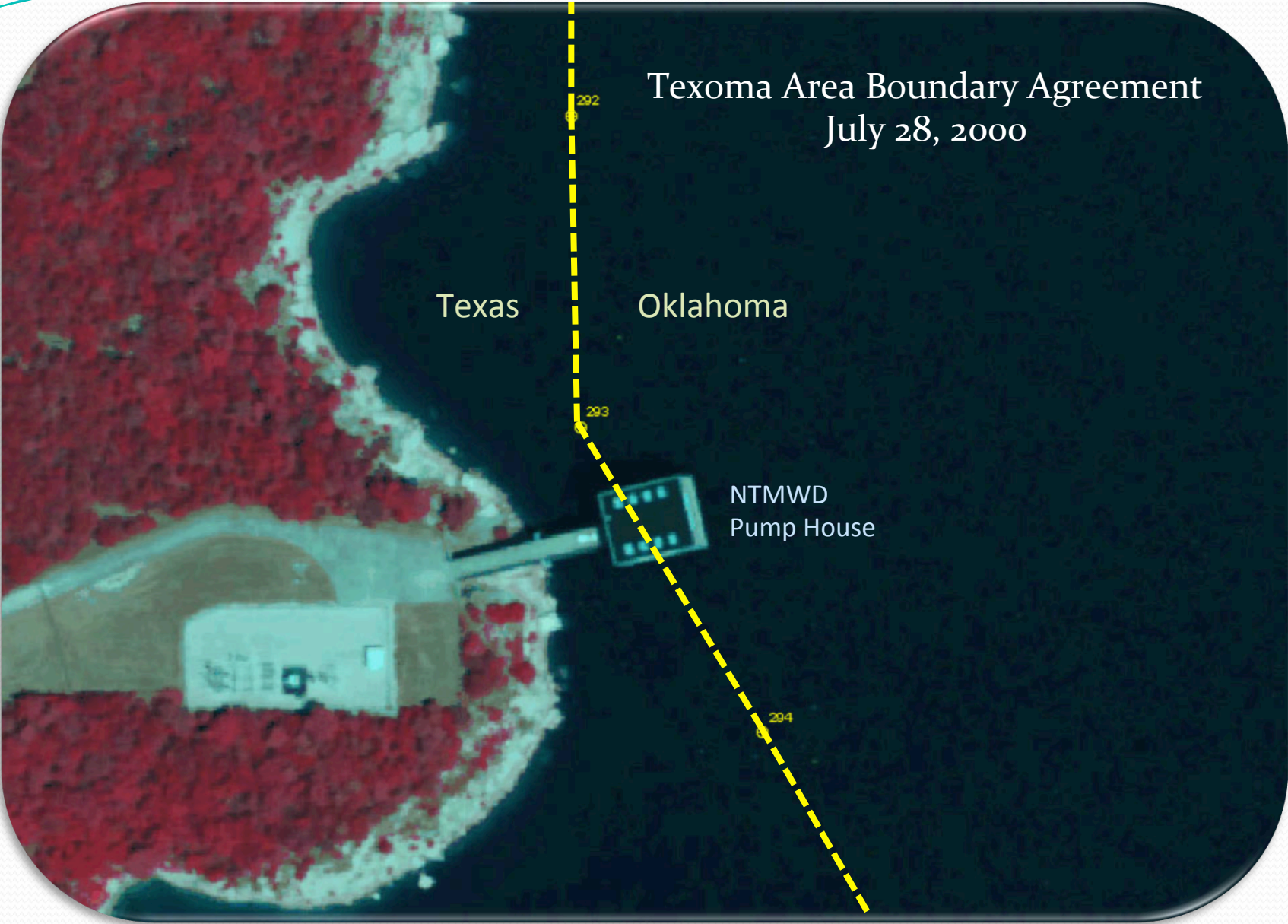
Oklahoma

NTMWD
Pump House

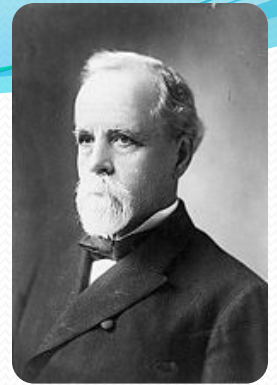
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Considerations



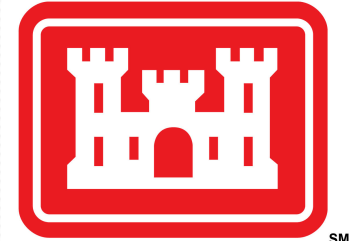
- Injurious Wildlife Provisions of the Lacey Act (50 CFR 16)
 - “...importation into or the transportation of live wildlife or eggs thereof between the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means whatsoever, is prohibited except for certain purposes and under certain conditions ...”

Considerations



- Executive Order 13112
 - “Each Federal agency whose actions may affect the status of invasive species shall... not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species in the United States or elsewhere unless, pursuant to guidelines that it has prescribed, the agency has determined and made public its determination that the benefits of such actions clearly outweigh the potential harm caused by invasive species; and that all feasible and prudent measures to minimize risk of harm will be taken in conjunction with the actions.”

Federal Permit



- February 2011 – US Army Corps of Engineers, Tulsa District, suspended the DA permit to transfer water from Lake Texoma into the Trinity Basin



Lake Lavon



49% of Usable Capacity

NTMWD began
Stage III
Drought Restrictions
on Nov. 1, 2011



Physical Solution

- NTMWD decided to build a new pipeline
- Transfers raw water directly to an existing treatment plant, where zebra mussels can be removed
- Specifications
 - Diameter : 84” to 96”
 - Length: 46 miles
 - Cost: \$300,000,000
 - Completion: 2014



Legal Solution

- NTMWD lobbied the U.S. Senate and House of Representatives for exemption from the Lacey Act
- Public Law 112-237, December 28, 2012

SEC. 5 Compliance with the Lacey Act

The Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.) and section 42 of title 18, United States Code, shall not apply with respect to any water transfer by the North Texas Municipal Water District and the Greater Texoma Utility Authority using only closed conveyance systems from the Lake Texoma raw water intake structure to treatment facilities at which all zebra mussels are extirpated and removed from the water transferred.

Legal Solution

- NTMWD lobbied the Texas State Representatives for the Clean Water Act
- Public Law 112-74

SEC. 5 C

The Law (Title 36, Chapter 3371 et seq.) and section 3371.001, shall not apply with respect to the Texas Municipal Water Development Authority using only closed conduits to take Texoma raw water intake structures at which all zebra mussels are extirpated from the water transferred.

Importance

- Water is a diminishing resource in the West
- Interbasin pipelines are common
- New interstate pipelines are proposed