

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2349

By: Liotta

COMMITTEE SUBSTITUTE

An Act relating to agriculture; creating the State Waters Protection Act; providing for certain restrictions relating to location of certain poultry feeding operations and land application of poultry waste; providing for noncodification; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The provisions of this act shall be known and may be cited as the "State Waters Protection Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 10-9.8a of Title 2, unless there is created a duplication in numbering, reads as follows:

On and after the effective date of this act:

1. No new or expanding poultry feeding operations shall be constructed within a 100-year flood plain; and

2. No new or expanding poultry feeding operations shall be constructed within the following minimum buffer areas:

- a. three hundred (300) feet of waters of the state,
- b. one and one-half (1 1/2) miles of the high water mark of a surface public water supply if the poultry feeding operation is located within the watershed for the public water supply,

- c. one and one-half (1 1/2) miles of any designated scenic river area as specified by the Scenic Rivers Act,
- d. one and one-half (1 1/2) miles of a public drinking water well, and
- e. one and one-half (1 1/2) miles of a water body specified as Outstanding Resource Waters that has recreational or ecological significance as outlined by the most current Water Quality Standards promulgated by the Oklahoma Water Resources Board.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 10-9.19a of Title 2, unless there is created a duplication in numbering, reads as follows:

Land application of poultry waste, whether performed by a private or commercial poultry waste applicator, shall comply at all times with the following buffer areas:

1. Three hundred (300) feet of an existing public or private drinking water well;
2. One-half (1/2) mile of any designated scenic river area as specified by the Scenic Rivers Act; and
3. One-half (1/2) mile of the high water mark of a nutrient-limited water body if the poultry feeding operation is located within the watershed for the nutrient-limited water body.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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