

THE HOUSE OF REPRESENTATIVES  
Monday, March 2, 2009

House Bill No. 1885

HOUSE BILL NO. 1885 - By: RICHARDSON of the House and JUSTICE of the Senate.

( agriculture - authorizing the integration of certain plans into the resource  
stewardship plan - creating the Resource Stewardship Plan Creation Fund -  
codification - effective date -  
emergency )

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

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma  
2 Statutes as Section 2-18.3 of Title 2, unless there is created a duplication in numbering,  
3 reads as follows:

4 A. The Oklahoma Department of Agriculture, Food, and Forestry in consultation  
5 with the Oklahoma Conservation Commission, shall have the authority to integrate all  
6 individual farm and ranch plans in the unincorporated areas of this state that have been  
7 written to address local sources of non-point-source water pollution in watersheds having  
8 state-developed watershed-based plans or with total maximum daily load limitations into  
9 what shall be known as a “resource stewardship plan.”

10 B. A resource stewardship plan shall include those plans within a given watershed  
11 management area developed to comply with state AFO/CAFO rules, those plans  
12 developed to support watershed strategies and programs under Section 319 of the  
13 Federal Clean Water Act and natural resource stewardship planning as developed

1 through United States Department of Agriculture conservation program authorities.  
2 Resource stewardship plans shall address non-point-source water pollution in  
3 subwatersheds of larger watersheds covered under watershed-based plans as described  
4 in federal guidance for the implementation of Section 319 of the Clean Water Act.  
5 Resource stewardship plans shall be voluntary in nature and shall be requested by the  
6 owner or operator of the land.

7 C. A resource stewardship plan shall include scientific solutions designed to abate  
8 and control non-point-source pollution from current or potential pollution risks  
9 associated with land management practices or land use practices.

10 D. A landowner who has been issued a resource stewardship plan and is complying  
11 with the plan shall be considered in compliance with the law and not polluting the  
12 resources addressed in the plan with pollutants addressed in the plan.

13 E. Environmental agencies in this state with jurisdiction over non-point-source  
14 pollution shall cooperate in the development of the resource stewardship plan.

15 F. Resource stewardship plans shall be written based upon availability of funding  
16 and neither state agencies nor conservation districts shall be held liable for plans  
17 uncompleted due to lack of funding.

18 G. The Oklahoma Department of Agriculture, Food, and Forestry, the Oklahoma  
19 Conservation Commission, and the Oklahoma State University Extension Service shall  
20 provide educational programs to support and optimize the benefits of resource  
21 stewardship plans, subject to funding.

1 H. All plans shall be reviewed and updated in a manner prescribed by statute or  
2 rule. In the event that Oklahoma Water Quality Standards are not attained despite the  
3 implementation of the resource stewardship plan, the watershed-based plan indicates  
4 further non-point-source pollution controls are needed, or the Oklahoma Water Quality  
5 Standards change to cause waters formerly attaining Oklahoma Water Quality  
6 Standards to be in nonattainment of those standards, the resource stewardship plans  
7 will be reviewed and updated in a manner and time frame specified by rule.

8 I. The Department of Agriculture, Food, and Forestry in consultation with the  
9 Oklahoma Conservation Commission shall promulgate rules in accordance with this  
10 section.

11 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma  
12 Statutes as Section 2-18.4 of Title 2, unless there is created a duplication in numbering,  
13 reads as follows:

14 There is hereby created in the State Treasury a revolving fund for the Oklahoma  
15 Conservation Commission to be designated the "Resource Stewardship Plan Creation  
16 Fund." The fund shall be a continuing fund, not subject to fiscal year limitations, and  
17 shall consist of all monies received from state, federal, or private sources for the  
18 generation and educational support of resource stewardship plans as provided for in  
19 Section 1 of this act. All monies accruing to the credit of the fund are hereby  
20 appropriated and may be budgeted and expended by the Oklahoma Conservation  
21 Commission to match all appropriated federal or other programs designed to address  
22 non-point-source pollution issues. A minimum of ten percent (10%) of funds shall be used

1 for education and outreach programs in support of the generation and implementation of  
2 resource stewardship plans. Expenditures from the fund shall be made upon warrants  
3 issued by the State Treasurer against claims filed as prescribed by law with the Director  
4 of State Finance for approval and payment.

5 SECTION 3. This act shall become effective July 1, 2009.

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

9 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
10 dated 02-26-09 - DO PASS, As Amended and Coauthored.