

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1885

By: Richardson

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6 AS INTRODUCED

7 An Act relating to agriculture; authorizing the  
8 integration of certain plans into the resource  
9 stewardship plan; specifying content of plan; setting  
10 certain condition upon compliance; specifying  
11 cooperation in development of plan; setting certain  
12 condition upon lack of funding; providing for  
13 educational programs; providing for review of plan;  
14 providing for the promulgation of rules; creating the  
15 Resource Stewardship Plan Creation Fund; specifying  
16 expenditures; providing for codification; providing  
17 an effective date; and declaring an emergency.

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

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

22 A. The Oklahoma Department of Agriculture, Food, and Forestry  
23 in consultation with the Oklahoma Conservation Commission, shall  
24 have the authority to integrate all individual farm and ranch plans  
in the unincorporated areas of this state that have been written to  
address local sources of non-point-source water pollution in  
watersheds having state-developed watershed-based plans or with

1 total maximum daily load limitations into what shall be known as a  
2 "resource stewardship plan."

3 B. A resource stewardship plan shall include those plans within  
4 a given watershed management area developed to comply with state  
5 AFO/CAFO rules, those plans developed to support watershed  
6 strategies and programs under Section 319 of the Federal Clean Water  
7 Act and natural resource stewardship planning as developed through  
8 United States Department of Agriculture conservation program  
9 authorities. Resource stewardship plans shall address non-point-  
10 source water pollution in subwatersheds of larger watersheds covered  
11 under watershed-based plans as described in federal guidance for the  
12 implementation of Section 319 of the Clean Water Act. Resource  
13 stewardship plans shall be voluntary in nature and shall be  
14 requested by the owner or operator of the land.

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

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

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

4 F. Resource stewardship plans shall be written based upon  
5 availability of funding and neither state agencies nor conservation  
6 districts shall be held liable for plans uncompleted due to lack of  
7 funding.

8 G. The Oklahoma Department of Agriculture, Food, and Forestry,  
9 the Oklahoma Conservation Commission, and the Oklahoma State  
10 University Extension Service shall provide educational programs to  
11 support and optimize the benefits of resource stewardship plans,  
12 subject to funding.

13 H. All plans shall be reviewed and updated in a manner  
14 prescribed by statute or rule. In the event that Oklahoma Water  
15 Quality Standards are not attained despite the implementation of the  
16 resource stewardship plan, the watershed-based plan indicates  
17 further non-point-source pollution controls are needed, or the  
18 Oklahoma Water Quality Standards change to cause waters formerly  
19 attaining Oklahoma Water Quality Standards to be in nonattainment of  
20 those standards, the resource stewardship plans will be reviewed and  
21 updated in a manner and time frame specified by rule.

22 I. The Department of Agriculture, Food, and Forestry in  
23 consultation with the Oklahoma Conservation Commission shall  
24 promulgate rules in accordance with this section.

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

4           There is hereby created in the State Treasury a revolving fund  
5 for the Oklahoma Conservation Commission to be designated the  
6 "Resource Stewardship Plan Creation Fund." The fund shall be a  
7 continuing fund, not subject to fiscal year limitations, and shall  
8 consist of all monies received from state, federal, or private  
9 sources for the generation and educational support of resource  
10 stewardship plans as provided for in Section 1 of this act. All  
11 monies accruing to the credit of the fund are hereby appropriated  
12 and may be budgeted and expended by the Oklahoma Conservation  
13 Commission to match all appropriated federal or other programs  
14 designed to address non-point-source pollution issues. A minimum of  
15 ten percent (10%) of funds shall be used for education and outreach  
16 programs in support of the generation and implementation of resource  
17 stewardship plans. Expenditures from the fund shall be made upon  
18 warrants issued by the State Treasurer against claims filed as  
19 prescribed by law with the Director of State Finance for approval  
20 and payment.

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

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

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