

## Water Protections Become Law

OKLAHOMA CITY (June 7, 2007) - Legislation that will reduce water pollution in Northeast Oklahoma has been signed into law.

House Bill 1490, by state Rep. Dan Sullivan, creates the Eucha-Spavinaw Nutrient Management Act. The bill incorporates the provisions of a settlement agreement between the poultry industry and the City of Tulsa into state law.

The legislation passed the Oklahoma House of Representatives on a 94-2 vote and cleared the state Senate 46-0. Gov. Brad Henry signed it into law this week.

"I am grateful the governor has signed HB 1490 so we can get right to work implementing a rule to protect the Eucha-Spavinaw watershed," said Sullivan, R-Tulsa. "Clean water is essential to Tulsa and all of Oklahoma for our continued growth and success as a state. This bill will result in further cooperation between the agriculture community and the City of Tulsa to reach a common goal of growth in the agriculture area and clean water at the same time."

House Bill 1490 requires the Oklahoma Department of Agriculture to approve rules implementing the Eucha-Spavinaw Phosphorous Index order by the federal court as the result of litigation filed by the City of Tulsa against the poultry industry. The phosphorous index will impact only the Eucha-Spavinaw watershed and apply to any person applying poultry waste in the watershed.

The legislation was the result of an agreement reached between representatives of the Tulsa Municipal Utility Authority, Farm Bureau, Farmer's Union, State Department of Agriculture, Cattleman's Association, Feed and Grain Association and the Poultry Federation.

The City of Tulsa sued the poultry industry in December 2001 claiming the defendants were responsible for 170 million pounds of phosphorus and nitrogen-rich chicken waste that goes into the city watershed each year through creeks and streams that flow into Lake Eucha, which in turn feeds Lake Spavinaw. Lake Spavinaw is one of two drinking water sources for Tulsa. The sides agreed to settle the case before the trial began.

The resulting court-ordered agreement requires businesses to implement a nutrient management plan for reducing poultry litter accumulating in Oklahoma watersheds. The poultry defendants and their growers cannot apply poultry litter to land in the watershed until they receive their nutrient management plans.

The settlement called for a phosphorus-risk index to govern the conditions under which animal waste or fertilizer may be applied to land in the watershed. The Eucha-Spavinaw Phosphorus Index (ESPI) was developed by a team from Oklahoma State University and the University of Arkansas and adopted by the court in February 2004.

"We can have clean water in Northeastern Oklahoma and a thriving poultry industry at the same time," Sullivan said. "The two interests are not mutually exclusive."

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