



SRAP
Socially Responsible
Agriculture Project

Guide to Confronting Concentrated Animal Feeding Operations in

OKLAHOMA



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A PROJECT BY SOCIALLY RESPONSIBLE AGRICULTURE PROJECT

For more than 20 years, Socially Responsible Agriculture Project (SRAP) has served as a mobilizing force to help communities protect themselves from the damages caused by industrial livestock operations and to advocate for a food system built on regenerative practices, justice, democracy, and resilience. Our team includes technical experts, independent family farmers, and rural residents who have faced the threats of factory farms in their communities. When asked for help, SRAP offers free support, providing communities with the knowledge and skills to protect their right to clean water, air, and soil and to a healthy, just, and vibrant future. For more information, visit www.sraproject.org.

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Facing a factory farm? Contact SRAP for support.

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CAFO Guide Overview

This guide outlines CAFO laws, regulatory processes, and useful resources for advocates. Below is an overview of actions communities can take if a CAFO is being built, expanding, or violating regulations.

EDUCATE YOURSELF

Learn how CAFOs harm communities at sraproject.org. Use this guide to find state agencies that regulate CAFOs; state permitting requirements for zoning, construction, etc.; and public open meetings and records laws. Use SRAP's Federal Guide to learn relevant federal laws like the Clean Water Act, Clean Air Act, and Endangered Species Act.

LOOK FOR PUBLIC NOTICES

Look for public notices of CAFOs in newspapers, state agency websites, and at government buildings. The window for public participation is often brief. Find rules and deadlines for public comment, hearing requests, and appeals. Respond before deadlines.

REQUEST AND REVIEW PUBLIC RECORDS

Search for public records related to the CAFO; if necessary, make a public records request.

NEW OR EXPANDING CAFOS

REVIEW ZONING ORDINANCES

Review municipal or county codes and zoning ordinances to determine if any requirements must be met at the local level.

REVIEW PERMIT APPLICATIONS

Determine if any local, state, or federal permit applications are required; review application materials to make sure all requirements are met.

COLLECT DATA

Test water before the CAFO siting or expansion to establish a baseline. This may show that new pollution came from the CAFO.

EXISTING CAFOS

REVIEW CAFO DOCUMENTS

Review permits, applications, manure management plans, nutrient management plans, monitoring reports, etc. Familiarize yourself with permit and plan provisions so you can spot violations.

COLLECT DATA

Conduct well, soil, water, and/or air testing to establish a connection between the facility and harmful pollution. Keep a log of odor and other impacts.

MONITOR CAFOS AND BUILD A RECORD

Submit complaints to regulators if you observe violations. Take photos and keep a log. Don't trespass!

FOLLOW UP ON AGENCY RESPONSE TO COMPLAINTS

Did the agency take action? If a state agency isn't complying with state or federal environmental laws, contact your U.S. EPA Regional Office.

ORGANIZE A COMMUNITY GROUP

Organize your group and develop a public presence.

Consider forming a nonprofit if you plan long-term advocacy.

SEEK LEGAL ADVICE

Consider contacting law firms or pro-bono clinics for help with legal matters related to CAFOs.

IDENTIFY IMPAIRED WATER BODIES

Determine if impaired waters may be impacted by discharge from the existing or proposed CAFO.

CONTACT STATE OR LOCAL HEALTH DEPARTMENT

The Health Department may monitor or oppose the CAFO due to public health impacts.

CHECK FOR PUBLIC FINANCING

If the CAFO received government-backed loans, see if an Environmental Assessment was conducted.

TRACK PUBLIC NOTICES

CAFO permits come up for renewal, so look for public notices and comment opportunities.

REVIEW STATE RIGHT-TO-FARM LAW

Find exceptions to the law's nuisance liability shield (e.g., compliance with laws and permits is often a prerequisite to nuisance claim protection).

AGENCIES & STATE DEFINITIONS

Familiarize yourself with your state's livestock operation definitions, and with the agencies that regulate the industry. (Definitions and relevant agencies vary by state.)

SEEK PROPERTY TAX ADJUSTMENT

Neighbors may be able to reduce their property taxes due to CAFOs' negative impact on property values.

ENGAGE IN RULEMAKING PROCESSES

Attend regulatory meetings and share your concerns. If your state allows it, develop local ordinances to protect communities.

INTRODUCTION: CAFOs IN OKLAHOMA

Livestock production in Oklahoma includes beef cattle and calf operations, swine production, and poultry operations. These facilities are regulated under general and specie-specific laws and regulation in Oklahoma. In Oklahoma, animal feeding operations (AFO) are regulated by the State Board of Agriculture specifically through the Agricultural Environmental Management Services (AEMS), which is a division of the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF).

State licensing by ODAFF. In order to legally operate an animal feeding operation (AFO) or concentrated animal feeding operation (CAFO) in Oklahoma, the State Board of Agriculture must grant a **license** for the operation. The state refers to these as Licensed Managed Feeding Operations (LMFOs). Oklahoma has specie-specific laws and regulations for swine feeding operations (SFOs) and poultry feeding operations (PFOs). Poultry feeding operations are required to **register** with ODAFF prior to construction and operation.

Federal permits issued by ODAFF. The Clean Water Act has defined CAFOs as point sources since 1976, and has thus required their regulation under the NPDES permit program. Oklahoma achieved delegation for the CAFO portion of the NPDES permit program in 2012 when EPA approved the AgPDES permit.¹

A “point source” of pollution is defined as “any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.”² “Point source” does not include agricultural storm water discharges and return flows from irrigated agriculture.”

Water Rights Permits by OWRB. Animal Feeding Operations usually need a water permit to drill water wells for animal drinking water and irrigation. The Oklahoma Water Resources Board (OWRB) issues surface and ground water rights permits. The agency is also responsible for the Water Quality Standards, well driller licensing, and well log reports.

¹ See <https://www.federalregister.gov/documents/2013/01/04/2012-31715/state-program-requirements-approval-of-application-to-administer-partial-national-pollutant>

² 33 U.S.C. § 1362(14).

Oklahoma Board of Agriculture³

In Oklahoma, the Board of Agriculture is composed of four members that have been farmers five years out of the past ten and that represent the four agricultural districts in the state. All members are appointed by the Governor including a fifth member that is at-large and serves as President of the Board and State Commissioner of Agriculture. The Board meets once a month and their calendar and agenda packets are available for review on-line.⁴ The Board has jurisdiction and is the rule-making body over all matters affecting animal industry and animal industry.

Oklahoma Department of Agriculture, Food, and Forestry (ODAFF)⁵

The ODAFF is the state agency that has jurisdiction over all agricultural and livestock pollution according to the "Oklahoma Environmental Quality Act". The agency administers both state and federal agricultural and livestock environmental permits, licenses, and registrations. The ODAFF administers agriculture-related Clean Water Act discharge permits for CAFOs through the National Pollution Discharge Elimination System (NPDES) program through the authority of the Environmental Protection Agency. Although ODAFF has delegation for the CAFO effluent guidelines, the remainder of the NPDES program in Oklahoma is administered by the Oklahoma Department of Environmental Quality. ODAFF's portion of the delegated NPDES program is called the Agriculture Pollutant Discharge Elimination System (AgPDES). In addition to discharge associated with CAFOs, the AgPDES program addresses the application of biological or chemical pesticides and discharges from forestry activities, as well as storm water runoff at agricultural operations.

Agricultural Environmental Management Services (AEMS)⁶

AEMS is a Division of ODAFF focused specifically on permitting and licensing livestock and agricultural facilities that are covered by the Oklahoma Agriculture Pollutant Discharge Elimination System Act, the Oklahoma Concentrated Animal Feeding Operations Act, the Swine Feeding Operations Act, the Oklahoma Registered Poultry Feeding Operations Act, and the Oklahoma Poultry Waste Applicators Certification Act. These programs include the licensing, registration and inspection of poultry, beef

³ 2 OK Stat. §2-4

⁴ Board of Agriculture Board Meeting Calendar and Agenda Packets:
<http://app.ag.ok.gov/ODAFFmeetings/>

⁵ See ODAFF home page: <https://www.oda.state.ok.us/index.htm>

⁶ See ODAFF-AEMS webpage: <http://www.oda.state.ok.us/aems/>

and swine growing and feeding facilities. Additionally, AEMS is responsible for licensing agricultural compost facilities.”

Oklahoma Department of Environmental Quality (ODEQ)⁷

With respect to agricultural facilities, ODEQ has jurisdiction over slaughterhouses, aquacultures, fish hatcheries, and surface water and groundwater quality and protection.

AFOs, CAFOs, PFOs, and SFOs: STATE DEFINITIONS

Concentrated Animal Feeding Operations (CAFOs)

Oklahoma and federal law distinguish Concentrated Animal Feeding Operations (CAFOs) and Animal Feeding Operations (AFOs) based on the number of animals confined as well as whether the operation will discharge pollutants to surface water. Oklahoma has also has specie-specific laws and regulations for swine operations with liquid manure systems and poultry operations.

Oklahoma law defines CAFOs as the following:

Option 1:

- An AFO that confines more than the number of animals specified in any of the following categories:
 - 1,000 beef cattle
 - 700 mature dairy cattle
 - 500 horses
 - 10,000 sheep or lambs
 - 55,000 turkeys
 - 100,000 laying hens or broilers, if the facility has continuous overflow watering
 - 30,000 laying hens or broilers, if the facility has a liquid manure system
 - 5,000 ducks
 - 1,000 animal units; and
- Pollutants are discharged into waters of the state.

⁷ See ODEQ website: <https://www.deq.ok.gov/>

Provided, no animal feeding operation pursuant to this subparagraph shall be construed to be a concentrated animal feeding operation if the animal feeding operation discharges only in the event of a twenty-five-year, twenty-four-hour storm event⁸, or

Option 2:

- An AFO that confines more than the number of animals specified below in any of the following categories:
 - 300 beef cattle
 - 200 mature dairy cattle
 - 150 horses
 - 3,000 sheep or lambs
 - 16,500 turkeys
 - 30,000 laying hens or broilers, if the facility has continuous overflow watering
 - 9,000 laying hens or broilers, if the facility has a liquid manure system
 - 1,500 ducks
 - 300 animal units; and
- Pollutants are discharged into the waters or the state through an artificially constructed ditch, flushing system or other similar artificially constructed device OR pollutants are discharged directly into navigable waters that have somehow come into direct contact with the confined animals.

An AFO may be designated as a CAFO without meeting the statutory definition if the Board determines that any of the following warrants a change in designation: AFO's size, location in relation to state waters, means of conveying and disposing of waste, or land's topography affecting waste discharge. The process to change the AFO/CAFO designation includes an inspection made by ODAFF.

Poultry Feeding Operations (PFOs)

Oklahoma laws and regulations use a specific designation for poultry operations known as a Poultry Feeding Operation (PFO).⁹ The Poultry Feeding Operations Act (2019) can be found in Title 2 Chapter 1 of Oklahoma Statutes. The Poultry Feeding Operations Regulations can be found in the Administrative Code at Title 35 Chapter 17 Subchapter 5.

⁸ USGS precipitation map for Oklahoma: <https://pubs.usgs.gov/wri/wri994232/pdf/wri994232.pdf>

⁹ 2 OK Stat. § 10-9.

A PFO is a facility that has or will be confining poultry for 45 or more days in any 12-month period and produces 10 tons or more poultry waste per year. To be classified as a PFO, crops and other vegetation cannot have been sustained during a normal growing season over any part of the property. A PFO can be reclassified as a CAFO by the State Board of Agriculture after an administrative determination that an operation has violated or is unwilling to comply with any provisions of the Oklahoma Registered Poultry Feeding Operations Act.

In Oklahoma, poultry operations are required to **register** with ODAFF unless they have a CAFO permit as described in the Poultry Feeding Operations Act as follows:

It shall be unlawful for any person to construct or operate a new poultry feeding operation *without having first registered* with the State Board of Agriculture. Any poultry feeding operation that has a valid license pursuant to the Oklahoma Concentrated Animal Feeding Operations Act shall not be required to register pursuant to the Oklahoma Registered Poultry Feeding Operations Act.

ODAFF Webpage for PFOs: <https://www.oda.state.ok.us/aems/rpfo.htm>

Poultry Feeding Operations Act (2019):

<https://www.oda.state.ok.us/aems/aemstitle2rpfo.pdf>

State PFO regulations can be found at:

<https://www.oda.state.ok.us/aems/aemsrulesrpfo.pdf>

The ODAFF website includes a hyperlink for notice of PFO registrations for the last year from date of report. The file provides a synopsis of the registration including the name, location, number of houses, number of birds, integrator, date registration received, and other information about status of registration process:

- [New or Expanding Poultry Feeding Operations](#) [updated regularly]

Key Definitions for Poultry Feeding Operations:

"Integrator" means an entity which unites the elements associated with the poultry industry, including but not limited to hatching, feeding, processing, and marketing. It includes, but is not limited to, situations when growing is contracted out to others and when the integrator operates its own growing facilities.

"Nutrient Management Plan" means a written plan that includes a combination of conservation and management practices designed to protect the natural resources

of the state as required by the Oklahoma Department of Agriculture, Food, and Forestry pursuant to the provisions of Section 10-9.7 of this title and shall also include a certified nutrient management plan and animal waste management plan.

"Operator" means the person who performs the daily management functions associated with the poultry feeding operation.

"Poultry waste" means poultry excrement, poultry carcasses, feed wastes, bedding materials, or any other waste associated with the confinement of poultry from a poultry feeding operation.

"Poultry waste management system" means a combination of structures and practices serving a poultry feeding operation that provides for the collection, treatment, disposal, distribution, storage, and land-application of poultry waste.

"Private poultry waste applicator" means any person who is not a commercial poultry waste applicator but engages in the land application of poultry waste for purposes including, but not limited to, producing any agricultural commodity on property owned or rented by the person or such person's employer, or if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person;

Swine Feeding Operations (SFOs)

In 1997 and 1998, Oklahoma legislature passed major legislation regarding swine facilities called the CAFO Act of 1997 and amendments of 1998. The CAFO Act can be found in Title 2 Chapter 1 of Oklahoma Statutes and the regulations can be found in the Administrative Code at Title 35 Chapter 17 Subchapter 5. The CAFO Act requires a license to operate a liquid swine manure waste management system as well as require a Pest Management Plan, Odor Management Plan, Waste Management Plan, and Carcass Disposal Plan.

ODAFF Webpage for SFOs: <https://www.oda.state.ok.us/aems/swine.htm>

CAFO Act (as of 2019): https://www.oda.state.ok.us/aems/Swine-FeedingOperations_Act.pdf

State SFO regulations: https://www.oda.state.ok.us/aems/Swine-FeedingOperations_Rules.pdf

In Oklahoma, to be classified as a *swine feeding operation* (SFO) the facility must have been confining swine for a total of at least 90 days within any 12-month period.

Additionally, no crops, vegetation, or forage growth may be sustained during a normal growing season over any part of the property.¹⁰ A *concentrated swine feeding operation* is distinguished from an SFO based on the animal units and discharge as follows:

- contains 750 swine each weighing over 25 kilograms or approximately 55 pounds, contains 3,000 weaned swine each weighing under 25 kilograms, or contains 300 swine animal units.
- To be considered a concentrated swine feeding operation (a) pollutants are discharged into waters of the state through an artificially constructed ditch, flushing system or other similar artificially constructed device, or (b) pollutants are discharged directly into navigable waters which originate outside of and pass over, across or through the facility or otherwise come into direct contact with the swine confined in the operation.
 - “Provided, however, that no swine feeding operation pursuant to this subparagraph is a concentrated swine feeding operation if the swine feeding operation discharges only in the event of a twenty-five-year, twenty-four-hour storm event.”
- the Board determines that the operation is a significant contributor of pollution to waters of the state pursuant to Section 20-6 of this title,
- any new swine feeding operation established after November 1, 2011, with more than one hundred (100) animal units;

Key Definitions for Swine Feeding Operations:

"Liquid swine waste management system" means any swine waste management system which uses water as the primary carrier of swine waste into a primary retention structure;

"Pollution Prevention Plan" means a written plan to control the discharge of pollutants which has been prepared in accordance with industry-acceptable engineering and management practices by the owner or operator of a swine feeding operation as required pursuant to Section 20-9 of this title

"Odor Abatement Plan" means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce odor as established by the Department pursuant to Section 20-11 of the Oklahoma Swine Feeding Operations Act;

¹⁰ 2 OK Stat. §20-3.

"Swine waste management system" means a combination of structures and nonstructural practices serving a swine feeding operation that provides for the collection, treatment, disposal, distribution, storage and land application of swine waste;

"Swine Waste Management Plan" or "Nutrient Management Plan" means a written plan that includes a combination of conservation and management practices designed to protect the natural resources of the state prepared by an owner or operator of a swine feeding operation as required by the Department pursuant to the provisions of Section 20-10 of this title;

Composting Facilities

In Oklahoma, facilities that compost animal waste can be regulated by Title 35 Chapter 17 Subchapter 9 Agricultural Compost Facilities and if the facility qualifies, it must have a *permit* from ODAFF. It states: "Prior to operation, any person using any source materials within the Department's jurisdictional areas of environmental responsibility to produce compost shall obtain a permit to operate the facility from the Department, unless the person is producing compost solely for personal use and not for commercial purposes."

ODAFF webpage for Composting: <https://www.oda.state.ok.us/aems/compost.htm>

Key definitions for Agricultural Composting Facilities:

- **"Animal waste"** means animal excrement, animal carcasses, feed wastes, process wastewaters or any other waste associated with the confinement of animals from an animal feeding operation.
- **"Compost facility"** means a facility where source material is converted, under thermophilic conditions, to a product with high humus content for use as a soil amendment or to prevent or remediate pollutants in soil, air, and storm water run-off.
- **"Facility"** means all contiguous land and structures, other appurtenances, and improvements on the land used for the handling, processing, storage, or disposal of compost and source materials or ingredients used in producing compost.
- **"Leachate"** means liquid that has passed through or emerged from animal waste or materials being composted, and may contain soluble, suspended, or mixable materials removed from the source material.

- **"Operator"** means the owner and person responsible for the management of each facility.
- **"Source material"** means material used as the main organic source to be converted by the process into compost and may include but not be limited to manure and other animal waste.

Carcass Disposal

State regulations requires: "Every animal feeding operation licensed pursuant to the provisions of Oklahoma Concentrated Animal Feeding Operations Act shall develop a plan approved by the Department for the disposal of carcasses associated with normal mortality.

1. Dead animals shall be disposed of in accordance with a carcass disposal plan developed by the applicant or licensee and approved by the Department.
2. The plan shall include provisions for the disposal of carcasses associated with normal mortality, with emergency disposal when a major disease outbreak or other emergency results in deaths significantly higher than normal mortality rates and other provisions which will provide for a decrease in the possibility of the spread of disease and prevent the contamination of waters of the state. The plan shall comply with rules promulgated by the Department.

ODAFF webpage for carcass disposal:

<https://www.oda.state.ok.us/aems/carcass.htm>

SURFACE & GROUND WATER PROTECTION: AGENCIES & PERMIT PROGRAMS

Groundwater Protection Agencies (as defined by Statute)

The Oklahoma Environmental Quality Act (Title 27A) identifies "groundwater protection agencies" as those state environmental agencies that are responsible for groundwater protection and, by law, are required to develop groundwater protection practices to prevent groundwater contamination from activities within their jurisdictional areas.

"Groundwater protection agencies" include the: Oklahoma Water Resources Board (OWRB), Oklahoma Corporation Commission, State Department of Agriculture (now ODAFF), Department of Environmental Quality (ODEQ), Conservation Commission, and Department of Mines

Each groundwater protection agency is also charged with consulting and cooperating with other interested parties including universities, colleges, the federal government, and interstate agencies. Groundwater protection agencies are to encourage and participate in studies relating to the maintenance and protection of groundwater, conduct groundwater sampling, and develop a public education program to aid and assist in publicizing the need for the protection of groundwater.¹¹

Agricultural Stormwater Construction General Permit

ODAFF uses a General Permit to regulate construction at agricultural sites where the disturbed land is greater than one acre.¹² The process of obtaining coverage is similar to the EPA Stormwater Construction Permit. Operators at potential construction sites are required to submit a Notice of Intent (NOI) to ODAFF and to prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to start of construction.¹³

Discharge to Surface Water—AgPDES General Permit and the Tier System

The Oklahoma Agriculture Environmental Permitting Act provides for the processing of permit applications for agricultural operations in a Tier System (Tier I, Tier II, and Tier III). The Tier categories are meant to reflect the significance of the potential impact of the type of activity on the environment; the amount, volume, and type of waste to be proposed, accepted, discharged, disposed, and/or emitted; the degree of public concern associated with the activity; and the federal classification (if any) for the proposed activity or operation.¹⁴

- **Tier I:** basic permitting process, including application, notice to landowners, and Department review.
- **Tier II:** Tier I process plus a published notice of application filing, preparation of the draft permit or draft denial, published notice of the draft permit or draft denial, and opportunity for a formal public meeting.
- **Tier III:** Tier II process plus an opportunity for a process meeting and preparation of the response of the Department to comments.

¹¹ 27A OK Stat. § 1-1-202.

¹² See 2017 Ag Stormwater Construction: <https://www.oda.state.ok.us/aems/agpdesconstructionpermit-2017.pdf>

¹³ ODAFF AgPDES webpage including stormwater construction: <https://www.oda.state.ok.us/aems/agpdes.htm>

¹⁴ 2 OK Stat. § 2A-22.

Once the proper tier is assigned to an application, the rules applied must reflect the type of notice and public participation requirements in the Oklahoma Agriculture Environmental Permitting Act. The rules must also contain what is necessary to satisfy the Oklahoma Agriculture Pollutant Discharge Elimination System Act.¹⁵

With respect to AgPDES permits, the public may comment on the application after notice has been published in a commonly circulated newspaper, per Oklahoma law. The notice will identify where the application can be reviewed and will include notice of a thirty-day opportunity to request process meeting on the permitting process. If the Department finds there is significant public interest in a project, it will schedule a process meeting.¹⁶ These permits are active for a maximum of five years before they must be reissued.¹⁷

Once a permit has been granted, it is assumed that the permit-holder has given consent to the Oklahoma Department of Agriculture, Food, and Forestry to enter and inspect the facility, investigate complaints, and monitor records, disposal systems, and other equipment. If a permit has not been granted, a proper warrant allows the Department to perform an inspection.¹⁸

If it's found that any person regulated by the Department has violated any provisions of the Oklahoma Agriculture Pollutant Discharge Elimination Act, the violator can be charged \$10,000 per day of the violation, not to exceed \$125,000. The Act does not preclude private individuals from recovering damages for pollution that are available under the federal Clean Water Act.

Wastewater Impoundment Liner Requirement:

Additionally, if a hydrologic connection is found between a structure of a CAFO and waters of the state, that connection is required to be contained using a liner.¹⁹ By law, there can be no hydrologic connection between waters of the state and the retention structure, and compliance with this law must be documented and certified by a professional engineer with respect to liner design and required feet of separation between the bottom of the liner and the top of the protected groundwater.²⁰

¹⁵ 2 OK Stat. § 2A-23.

¹⁶ 2 OK Stat. § 2-2A-25.

¹⁷ 2 OK Stat. § 2A-6.

¹⁸ 2 OK Stat. § 2A-7.

¹⁹ 2 OK Stat. §2-20-12

²⁰ 2 OK Stat. § 20-12.

NON-DISCHARGE FACILITY LICENSING & REGISTRATION REQUIREMENTS

Potential CAFO operators are required to submit a permit application to ODAFF-AEMS that meets all regulatory requirements. ODAFF-AEMS uses a checklist to document whether or not the application is complete. Here are some of the items on that checklist:²¹

- Complete a Permit Application Form including the following information: name and address of the owner; the name and address of the CAFO; the capacity, number, and type of animals; the name and address of the operator; the name and address of each member with an ownership interest of ten percent or more; and the name and address of the corporation, registered agents, and officers if the owner is a corporation. Complete an environmental history of the applicant for the past three years.
- Submit a map showing the boundary of the facility and location of the waste retention structures. The map must also identify all property owners within one mile of the facility, with a corresponding mailing list to be used for individual notice.
- Show compliance with the setback requirements including the following:
 - No liquid animal waste can be applied within 500 feet of the nearest corner of an occupied residence not owned or leased by the owner of the CAFO.
 - No liquid animal waste can be applied within 300 feet of an existing public or private drinking well.
 - CAFOs shall not be established within one mile of ten or more residences at the time of establishment.
 - A CAFO shall not be established within three miles of a state park or resort, on land within three miles of the incorporated limits of any municipality, or within three miles of the high water mark of a surface public water supply.
- Topographic map, a soil map, and a flood plain map. Lab analysis for nitrate, coliform bacteria, and phosphorous in the groundwater, surface water, impoundments, and soil.
- Complete a **Pollution Prevention Plan (PPP)** to include provisions for documentation of structural controls, documentation of operating Best

²¹ ODAFF: State CAFO License Application Checklist, <http://www.oda.state.ok.us/aems/AEMS008.pdf>

Management Practices (BMPs), an Animal Waste Management Plan (AWMP), a carcass disposal plan, and record-keeping guidelines.

- A closure plan that includes a commitment to a three-year post-closure monitoring program, a written estimate of the cost of decommissioning waste retention structures, and a demonstration of the availability of land area for application of liquid, solids, and sludge.

For Poultry Feeding Operations: A facility must also establish Best Management Practices (BMP), which must include a provision that there will be no discharge of poultry waste to the waters of the state. No stored poultry waste shall be isolated from outside surface drainage, and no waters of the state can come into contact with the poultry confined in the PFO. Finally, poultry waste handling, treatment, management, and removal is not to create an environmental or public health hazard or result in the contamination of waters of the state.²² Waste handling must conform to the requirements of the Oklahoma Registered Poultry Feeding Operations Act (Title 2 § 10-19-1) and Rules (35:17-5 and 35: 17-5).

For Poultry Waste Applicators:

According to the Oklahoma Poultry Waste Applicators Certification Act (Title 2 § 10-9-16) and Rules (35:17-7), poultry waste applicators are required to submit to ODAFF-AEMS the following: (a) Oklahoma poultry waste applicator annual application reports by September 1 annually for poultry waste applied in Oklahoma and (b) Oklahoma Registered Poultry Feeding Operation records of poultry waste sold or given away.

COMPLIANCE & ENFORCEMENT

Complaints Related to Animal Feeding Operations

The public can file a complaint about an animal feeding operation by calling the Oklahoma Department of Agriculture, Food, and Forestry's complaint hotline at (800) 235-9877.²³ An Agricultural Environmental Management Service inspector will investigate and respond to the complaint. Any information received on this hotline is considered public, so if one wants their complaint to be anonymous, s/he must indicate that when the complaint is filed.²⁴

²² 2 OK Stat. §10-9.

²³ ODAFF webpage on complaints: <https://www.oda.state.ok.us/aems/complaints.htm>

²⁴ ODAFF-AEMS Division: <http://www.oda.state.ok.us/aems/>

State law distinguishes between oral and written complaints. If the Department of Agriculture, Food, and Forestry receives a **written** complaint, the Department will notify the person filing the complaint of its receipt within five working days. The party against whom the complaint is filed is also notified within five days. The resolution of the complaint includes whatever administrative, jurisdictional, and legal remedies deemed necessary by the Department. The complainant and the owner are notified in writing within seven working days after the resolution of the complaint.²⁵

Inspections of Animal Feeding Operations

The State Board of Agriculture is allowed to enter the premises of any AFO or CAFO for the purpose of investigating complaints as to whether there are any violations of the Oklahoma Concentrated Animal Feeding Operations Act. The Department is required to make at least one unannounced inspection each year.²⁶

Records of inspections are to be kept on site for a minimum of three years. In addition to an annual inspection by the ODAFF-AEMS, the owner must perform an inspection at least annually. A report documenting the results of the self-inspection must be prepared.²⁷

Enforcement Actions

The State Board of Agriculture is allowed by law to enter the premises of any animal feeding operation for the purposes of investigating complaints or to determine whether there are violations of the Oklahoma CAFO Act. ODAFF-AEMS is required to make a minimum of one unannounced inspection each year.²⁸

Poultry operations are subject to the Department's emergency action if the Department receives three valid complaints within 60 days. Upon finding validity in the complaints, the Department may issue an order requiring action. The poultry operation may then request a hearing at which the Department will sustain or modify the order.²⁹

²⁵ OK Admin. Cod 35:17-4-19.

²⁶ 2 OK Stat. §20-52.

²⁷ OK Admin. Code 35:16-4-15.

²⁸ 2 OK Stat. § 20-52.

²⁹ 2 OK Stat. § 20-63.

Violation Point System as described in the CAFO Act

Violators of the Oklahoma CAFO Act and its corresponding rules are subject to a point system.³⁰ When fifteen or more points are accrued within any two-year time period, the license of the facility will be suspended, revoked, or subject to nonrenewal. Even if violation points do not add up to fifteen, the State Board of Agriculture may deem a violation serious enough to warrant immediate revocation, nonrenewal, or suspension of a license. If a license is revoked, suspended, or not renewed, it will remain so for a minimum of a year.

Oklahoma's point system provides illustrates the importance of understanding what is required of these facilities and promptly reporting possible violations. If the operation is already there, local residents may be the best line of defense to keep these operations accountable.

Points are accrued for the following actions and omissions:

- 3–5 Points: Failure of any CAFO to apply for a license when required.
- 4–5 Points: Knowingly making any false statement or omitting information when applying for a license or notifying affected property owners.
- 5 Points: Failures to follow the PPP that result in actual harm to Oklahoma's natural resources, ground or surface water quantity or quality, public health, or the environment.
- 3–4 Points: Failures to follow the PPP that result in potential harm to Oklahoma's natural resources, ground or surface water quantity or quality, public health, or the environment.
- 3–5 Points: Failure to provide full closure of a facility pursuant to a closure plan.
- 5 Points: Failures to utilize or comply with BMPs with the failure resulting in actual harm to Oklahoma's natural resources, ground or surface water quantity or quality, public health, or the environment.
- 3–4 Points: Failures to utilize or comply with BMPs with the failure resulting in potential harm to Oklahoma's natural resources, ground or surface water quantity or quality, public health, or the environment.
- 2–4 Points: Failure to report a discharge.
- 5 Points: Failures to comply with an AWMP with the failure resulting in actual harm to Oklahoma's natural resources, ground or surface water quantity or quality, public health, or the environment.

³⁰ OK Admin. Code 35:17-4-18.

- 3–4 Points: Failures to comply with an AWMP with the failure resulting in potential harm to Oklahoma’s natural resources, ground or surface water quantity or quality, public health, or the environment.
- 1–3 Points: Failure to follow a carcass disposal plan.
- 1–2 Points: Failure to follow an erosion control plan.
- 5 Points: Failure to take reasonable and necessary actions to avoid pollution of any body of water or violate any rule to prevent water pollution.
- 5 Points: Knowingly making any false statement or omitting information in a water pollution notice or report.
- 5 Points: Knowingly rendering a water pollution–monitoring device inaccurate.

PUBLIC PARTICIPATION

State License—Public Notice to Affected Property Owners³¹

When a person is applying for a *license* for a new animal feeding operation, they must comply with the notice and hearing requirements set forth by Oklahoma’s State Board of Agriculture. Notice requirements mandate an applicant to provide notice to affected property owners in the mail. In the notice, applicants must give the location of the facility, they must identify that a hearing may be requested, and they must provide the date the application will be available for public review.

Individual notice to all affected property owners is required to be documented and proof of notice must include a sample letter and a certificate of mailing correspondence.³² The notice is to include an opportunity to send comments to the Oklahoma Department of Agriculture, Food, and Forestry; P.O. Box 528804; Oklahoma City, OK 73152-8804.³³

The notice must also include an alert of a twenty working day public review period, which includes the opportunity to request a hearing. If an affected property owner wants to request a hearing, s/he must submit the following in writing: (a) Name and address and proof that the party is an affected property owner; (b) a statement of specific allegations showing that the proposed facility may have a direct, substantial, and immediate effect upon an interest of the party; and (c) the relief sought by the party. If the property owner(s) request an administrative hearing and

³¹ 2 OK Stat. § 20-46.

³² OK Admin. Code 35:17-4-5.

³³ *Id.*

the above information is found to be correct, the department will schedule a hearing within 60 days of after the close of the public review period.

State License—Public Notice to the General Public³⁴

The applicant is also required to give public notice of the opportunity to comment on the granting of a *license* to a proposed animal feeding operation. The public notice must be published prior to the date the application is available for public viewing in at least one newspaper of general circulation in the associated county.

The Department may hold public meetings to address public comments on the proposed facility. Additionally, public meetings may be held in regards to a draft waste permit under the Oklahoma Agriculture Environmental Permitting Act. If a timely written request is made, the public will have at least thirty days of notice prior to the meeting date. At the meeting, a person may submit written or oral comments.³⁵

Federal Permits – Public Notice of ‘Notice of Intent’

According to the EPA approved AgPDES General Permit (April 3, 2017 to April 2, 2020):

“When the AgPDES Director determines that the NMP and NOI are complete, the AgPDES Director will publish the NOI submitted by the CAFO, including the CAFO’s NMP, and the terms of the NMP to be incorporated into the permit as determined by the AgPDES Director, at ODAFF’s internet site (<http://app.ag.ok.gov/agpdes/default.aspx>).

The AgPDES Director will notice the proposal to grant coverage under the permit and the availability of the aforementioned documentation for public review and comment. The owner/operator shall make available the NOI and NMP at a public location for public viewing (i.e. county courthouse or public library) within the county that the facility is located in. Prior to the date the application will be made available for public viewing, the owner/operator shall publish the public notice as a legal notice in at least one newspaper of general circulation in the county that the facility is located in. The notice will also provide the opportunity for a public hearing on the NOI and draft NMP in accordance with 40 CFR § 124.11 and 12.”

³⁴ 2 OK Stat. § 20-46.

³⁵ 2 OK Stat. § 2A-27.

Hearings Associated with AgPDES Permits

According to ODAFF regulations related to AgPDES permits (Title 2 Chapter 1 Subchapter 2A-9):

Any person having any interest connected with the geographic area or waters or water system affected, including but not limited to any health, environmental, pecuniary, or property interest, which interest is or may be adversely affected, shall have the right to intervene as a party in any administrative proceeding before the Department, or in any civil proceeding, relating to violations of the Oklahoma Agriculture Pollutant Discharge Elimination System Act or rules, permits or orders issued hereunder.

AgPDES Permitting—Key definitions in Title 2 Chapter 1 Subchapter 2A

“Administrative hearing,” “administrative permit hearing,” “enforcement hearing,” and “administrative enforcement hearing” mean a quasi-judicial individual proceeding, held by the Oklahoma Department of Agriculture, Food, and Forestry, when authorized by the provisions of the Oklahoma Agricultural Code, and conducted pursuant to: a. the Administrative Procedures Act, [and] b. the Oklahoma Agricultural Code.

“Formal public meeting” means a formal public forum, held by the Department when authorized by the provisions of the Oklahoma Agricultural Code, and conducted by a presiding officer pursuant to the requirements of the Oklahoma Agricultural Code and rules promulgated thereunder, at which an opportunity is provided for the presentation of oral comments made and written views submitted within reasonable time limits as determined by the presiding officer. Public meeting shall mean a “public hearing” when held pursuant to requirements of the Code of Federal Regulations or the Oklahoma Agriculture Pollutant Discharge Elimination System Act. A public meeting shall not be a quasi-judicial proceeding.

PUBLIC ACCESS TO CAFO RECORDS

ODAFF Records

The public can access ODAFF records, permit application files, correspondence with applicants, and reports using the form on its webpage (<https://www.oda.state.ok.us/index.htm>) by clicking the hyperlink on the left side titled “Open Records Request.” A link to the ODAFF information request form is

provided below start the process.³⁶ Contact ODAFF-AEMS if you'd like to make an appointment to review the files in person.

OWRB Records

The public can access OWRB records, well permit logs, water permit applications, well driller license status, and reports by contacting the public information officer (<https://www.owrb.ok.gov/about/openrecords.php>):

Contact: [Cris Krittenbrink](#), 405-530-8800

Mailing Address: Cris Krittenbrink, Oklahoma Water Resources Board, General Counsel

3800 N. Classen Blvd., Oklahoma City, OK 73118

The National Freedom of Information Coalition has developed a standard form that can be used to request information from government agencies in Oklahoma.³⁷

Additionally, the public can search Oklahoma agency, legislature, and court decisions using this free online resource provided by the Oklahoma Public Legal Research System.³⁸ According to their website, "the **Oklahoma Public Legal Research System** is designed to provide residents of Oklahoma access to statutes, cases and other law-related information. The system has been made available through the efforts of a group of individuals who have worked diligently to provide public access to public information. This site is sponsored by the OU College of Law and the OBA Family Law Section."

SURFACE & GROUND WATER RIGHTS IN OKLAHOMA

In Oklahoma, the agency that has authority to issue stream water and groundwater withdrawal is the Oklahoma Water Resources Board (OWRB) which uses a permitting process that involves a permit application and approval by the Board.³⁹ Permit applications can be reviewed during public comment period and interested parties

³⁶ <https://www.oda.state.ok.us/ogc/AEMS134.pdf> and <http://www.nfoic.org/oklahoma-sample-foia-request>

³⁷ NFIC website: <https://www.nfoic.org/oklahoma-sample-foia-request>

³⁸ <http://oklegal.onenet.net>

³⁹ OWRB Water Rights webpage: <https://www.owrb.ok.gov/supply/watuse/permitting.php>

can appeal the issuance of the permit. The permit process includes hearings as specified in OWRB rules Title 785 Chapter 4.⁴⁰

Surface water in Oklahoma is considered to be publicly owned. The OWRB is responsible for the allocation of surface water and all surface water use permits require approval by the nine-member Board. Allocation is based on beneficial use and 'first in time, first in right'. The state regulations for 'appropriation and use of surface water' can be found in Title 785 Chapter 20.⁴¹

Groundwater is considered a private property right of the overlying surface owner and most groundwater permits issued by OWRB allow for withdrawal of 2 acre-feet of groundwater per acre of land dedicated to the permit. The state regulations for 'taking and use of groundwater' can be found in Title 785 Chapter 30.⁴²

Applications for a Ground Water Permit must satisfy four legal requirements in order for the Board to issue a groundwater use permit: (a) the applicant owns or leases the land from which the water will be withdrawn; (b) the dedicated land overlies a fresh groundwater basin; (c) the water will be put to a beneficial use; and (d) waste of the water would not occur.

The OWRB is required by statute (785:30-7-1) to perform aquifer studies to determine 'maximum annual yield' as a part of the groundwater allocation permitting process. However, not all groundwater aquifers have been properly assessed. If the aquifer study indicates need, then the groundwater allocation by OWRB may be less than the standard 2 acre-feet per acre.

Applications for a Surface Water permit must be reviewed by the Board. The Board reviews the application to determine if the following requirements have been met: (a) un-appropriated water is available in the amount applied for; (b) the applicant has a present or future need for the water; (c) the applicant intends to put the water to a beneficial use; (d) the proposed use would not interfere with domestic/existing appropriative uses; and (e) if use of the water is to occur outside the stream system of origin, it would not interfere with existing or proposed beneficial uses within the stream system.

⁴⁰ OWRB Administrative Code Title 785: <http://okrules.elaws.us/oac/title785>

⁴¹ OWRB Chapter 20 (surface water): www.owrb.ok.gov/rules/pdf/current/Ch20.pdf

⁴² OWRB Chapter 30 (groundwater): www.owrb.ok.gov/rules/pdf/current/Ch30.pdf

Public Notice of Proposed Permit Issuance includes certified mail notice to neighboring landowners and publication in a newspaper within the county for two consecutive weeks. The neighbor notice is only to be mailed to those landowners within one quarter mile of the proposed well location.⁴³

AIR QUALITY

CAFOs commonly produce significant quantities of air pollutants that pose risks to human health and the environment including but not limited to ammonia, particulates, volatile organic acids, hydrogen sulfide, dust/allergens, and greenhouse gases. There are methods to mitigate air pollutants and odors from animal feeding operations, such as dust suppression and biofilters that should be incorporated into the facility design. Iowa State University has assembled numerous methods on their website “AMPAT” – Air Management Practice Assessment Tool⁴⁴. In 2008, the US General Accounting Office (GAO) assembled a comprehensive report on EPA’s ability to regulate CAFOs that includes useful information.⁴⁵

In Oklahoma, some efforts have been made in legislation and rule-making to address air pollutants in the form of odors and dust. Licensure of swine farms includes a requirement for the operator to develop a Pollution Prevention Plan with an Odor Abatement Plan (OAP).⁴⁶ The OAP must include specific methods of odor reduction tailored to the specific AFO. This requirement specifically applies to qualified swine feeding operations.

LOCAL CONTROL

Oklahoma’s limited county zoning authority is detailed in statute at Title 19 Chapter 865-51 (County planning commission and county board of adjustment authorized).⁴⁷ Recently, the 2019 Oklahoma Legislature attempted to increase the zoning authority of counties beyond that already designated for cities and towns using Senate Bill 10

⁴³ OWRB public notice for groundwater permits: <http://okrules.elaws.us/oac/785:30-3-4>

⁴⁴ See AMPAT : <https://www.extension.iastate.edu/ampat/>

⁴⁵ See GAO Report: <https://www.gao.gov/assets/290/280238.html>

⁴⁶ OK Admin. Code § 35:17-3-15

⁴⁷ OK Statute: <https://law.justia.com/codes/oklahoma/2014/title-19/section-19-865.51/>

as the vehicle.⁴⁸ The proposed legislation would have created rural zoning authority and county boards of adjustment beyond what is already authorized but the Senate bill did not get past the referral to the Senate General Government Committee.

Regardless, each county in Oklahoma has planning authority as outlined in 19-865-51. Local government decision-making is crucial, particularly for issues concerning areas of local control such as zoning and public health in rural areas outside of cities and towns. For more information on your local zoning laws, please refer to your county commission or municipality.

RIGHT TO FARM & NUISANCE LAWS

Oklahoma nuisance law allows a person to file a suit against any individual or entity that fulfills the definition of a “nuisance” under the law, which is defined as any action or omission that:

- annoys, injures, or endangers the comfort, health, repose, or safety of others;
- offends decency;
- unlawfully interferes with or obstructs bodies of water, parks, streets, or highways; or
- in any way renders a person insecure in life or in the use of property.⁴⁹

This general definition of nuisance, however, applies differently to agricultural activities, which include poultry and livestock operations. Agricultural activities are presumed to be reasonable and do not constitute nuisances unless the activity has a substantial adverse affect on public health and safety. While such livestock facilities must still conform to the requirements of the Oklahoma Concentrated Animal Feeding Operations Act, they are protected under this subsection of Oklahoma nuisance law, which presumes that such operations are “good agricultural practices and not adversely affecting public health and safety.”⁵⁰ In lay terms, this means that to bring a nuisance lawsuit against any agricultural operation, one must have significantly more evidence to prove a substantial adverse affect on public health and safety than one would in a nuisance lawsuit against another entity.

⁴⁸ OK Legislature webpage for SB 10: <https://legiscan.com/OK/bill/SB10/2019>

⁴⁹ 50 OK Stat. § 1.

⁵⁰ 50 OK Stat. § 1.1.

Fundamentally, this subsection of Oklahoma nuisance law makes suing a CAFO or another similar operation for nuisance more difficult. Additionally, if an agricultural activity on farm or ranch land has lawfully been in operation for two or more years, no action for nuisance may be brought against it.

Efforts to institute Right-to-Farm laws are spreading throughout the country. These laws essentially require courts to overturn any challenged agricultural or livestock industry regulation that is not necessary for protecting a compelling state interest. In other words, these laws allow for minimal regulation of farms, hence the moniker “right to farm.”

In 2016, Oklahoma residents voted on State Question 777, which would have prevented the State Legislature from passing any agricultural-related regulation regarding a farmer’s right to make use of “agricultural technology, livestock procedures, and ranching practices” that did not serve a *compelling state interest*. This proposed amendment’s purpose was to add rights for farmers and ranchers in additional areas that had previously been unprotected.

If passed, State Question 777 would have, in essence, given increased latitude to farmers and ranchers, making their rights to use “agricultural technology, livestock procedures, and ranching practices” a constitutional right unless there existed a *compelling state interest* not to do so. For perspective, in other cases, “compelling state interests” have been found where there is a threat to free speech, religious freedom, and gun ownership, all constitutionally guaranteed rights.

State Question 777 was turned down by 60% of Oklahoma voters, but similar amendments may be proposed again.

Oklahoma’s nuisance law (as explained above) contains its own “right to farm” component limiting a person’s ability to hold an agricultural operation responsible for nuisances for which other entities would be liable.

AG GAG

Oklahoma’s Animal Facilities Protection Act insulates large-scale livestock operations from possible infiltration and exposure by animal welfare advocates and activists. This and other similar laws are colloquially known as ‘ag-gag laws.’ It’s

important to be aware of the specifics of Oklahoma’s ag-gag law to avoid accidentally violating any of its provisions while recording violations or submitting complaints about livestock facilities. If you have any questions, contact an attorney for interpretation of state and federal law.

As applied, the Act prohibits a person from doing any of the following without the consent of the owner of the animal enterprise:

- Damaging, destroying, or removing an animal facility or any property or animal in or on an animal facility.
- Acquiring or otherwise exercising control over an animal facility, an animal, or other property from an animal facility with the intent to deprive the owner of the facility, animal, or property.
- Entering an animal facility with intent to commit an act prohibited by this Act.
- Remaining concealed in an animal facility with the intent to commit or attempt to commit an act prohibited by this Act.
- Entering or remaining on animal facility property when the person has notice that entry is forbidden. Written or oral communication, fencing or other enclosure, or signs constitute notice.
- Releasing any animal or animals.

Violations of any of the above constitute a felony and are punishable by a fine of up to \$5,000 and up to 7 years of imprisonment.

OTHER RESOURCES

Protecting your community from factory farms is difficult. Avoid working alone by building relationships in your community, consulting with experts, and collaborating with groups working on similar issues.

Socially Responsible Agriculture Project (SRAP)

SRAP provides free advice and technical assistance to communities throughout the U.S. facing factory farms. Find additional resources at www.sraproject.org, and contact SRAP for support at 503-632-8303 or through our [website](http://www.sraproject.org).⁵¹

⁵¹ Contact, SOCIALLY RESPONSIBLE AGRICULTURE PROJECT, <http://www.sraproject.org/contact/>

The following Oklahoma advocacy organizations could be useful allies to communities facing CAFOs.

Sierra Club—Oklahoma Chapter⁵²

The Sierra Club is the nation’s largest state-wide environmental organization in Oklahoma and its membership works on a wide range of issues affecting the nation’s environment, addressing factory farming where applicable. The Oklahoma Chapter has been involved in CAFO issues for several decades. In addition to the state-wide organization there are three local groups: Cimarron in the northwest, Red Earth in central, and Green Country in eastern Oklahoma. Phone: 405-605-7767.

Save the Illinois River (STIR)⁵³

STIR’s mission is to protect and preserve the Illinois River, its tributaries, and Tenkiller Lake. This organization started in the 1980’s and actively follows legislative issues related to water quality and water pollution. In 2016, STIR was involved in overturning State Question 777 (Right-to-Farm). Recently, STIR has provided public comment on the federal definition of Waters of the US and comments on Oklahoma poultry regulations in 2019.

Earl Hatley,⁵⁴ **Grand Riverkeeper**⁵⁵

Earl Hatley has been intimately involved in Oklahoma environmental issues, including CAFOs and the Tar Creek Superfund Site, for many decades as Director of LEAD (Local Environmental Action Demanded, Inc).

Oklahoma Conservation Coalition⁵⁶

The Conservation Coalition of Oklahoma is a non-profit dedicated to bringing conservation organizations together and working with the Oklahoma legislature to develop sound conservation policy and ensure that legislation that has a negative impact on wildlife and habitat is defeated.

Green Country Guardians⁵⁷

This group was formed after Simmons poultry operations invaded Delaware County in 2018-2019 by Pam Kingfisher in eastern Oklahoma.

⁵² Sierra Club Oklahoma Chapter, www.sierraclub.org/oklahoma

⁵³ Save The Illinois River, www.illinoisriver.org

⁵⁴ Earl Hatley twitter, <https://twitter.com/earlhatley>

⁵⁵ Website for LEAD and Earl Hatley Riverkeeper, <http://www.leadagency.org/grand-riverkeeper>

⁵⁶ Website for Oklahoma Conservation Coalition: <https://www.oklahomaconservation.org/>

⁵⁷ Green Country Guardians website, <http://www.greencountryguardians.org/index.html>

Kerr Center for Sustainable Agriculture

The Kerr Center has a variety of projects focusing on demonstrating the practical dimensions of sustainable agriculture. The Center has a program specifically for livestock and maintains its own ranch. See its website for more information.

STATUTES & REGULATIONS

Oklahoma Concentrated Animal Feeding Operations Act

2 OK Stat. §§ 20-40 through 20-64.

Oklahoma Nuisance Law

50 OK Stat. § 1.

Oklahoma Administrative Code: Concentrated Animal Feeding Operations

OK Admin. Code 35:17-4-1 through 35:17-4-24.

Oklahoma Agriculture Pollutant Discharge Elimination Act

2 OK Stat. §§ 2A-12 through 20.

Oklahoma Agriculture Environmental Permitting Act

2 OK Stat. §§2A-21 through 29.

Oklahoma Environmental Quality Act

27A OK Stat. §1.

Oklahoma Registered Poultry Feeding Operations Act

2 OK Stat. § 10-9.

Oklahoma Open Records Act

51 OK Stat. §24A.1 through 24a.30.

Oklahoma Swine Feeding Operations Act

20 OK Stat. §20-1 through 20-29.

Oklahoma Animal Facilities Protection Act

21 OK Stat. §1680 through §1700.