

The Oklahoma Board of Agriculture is taking public comments online and is set Tuesday to vote on a set of proposed emergency regulations that, in part, would force new large poultry houses to be at least a quarter mile from someone's home or a half mile from a school or incorporated city limits. After an influx of new poultry house construction the past summer and objections raised by residents of, primarily, Delaware County, the state put a suspension on issuing any new permits for poultry operations on Oct. 8. If the emergency rules are passed, signed by the governor and do not raise objections from the Legislature, the Agriculture Board intends to lift the suspension so permitting can resume under the new guidelines, said Secretary and Commissioner of Agriculture Jim Reese. "The suspension is still in place so we are not accepting new applications," he said. "We intend to, if they go into effect, to lift the suspension," he said. Public comments on the proposed rules are being taken via email to [andrea.bair@ag.ok.gov](mailto:andrea.bair@ag.ok.gov) until 8 a.m. on Monday. The board will meet at 10 a.m. on Tuesday to take up the subject. A vote that was to take place on the fate of two pending poultry house applications "which were the subject of an angry community meeting Nov. 15" has been removed from the docket, he said. The new emergency rules could be applied to those two permit applicants. Chief among the new rules are setback proposals that would require at least a quarter-mile setback of poultry barns, composters or other carcass disposal areas, litter sheds and other buildings associated with operations of 30,000 birds or more. Smaller operations of 30,000 or fewer birds would have a 1,000-foot setback. "I love that. Maybe that will help some people in the future," said Tena Doan of Colcord who in the past year had six 66-by-600-foot chicken houses built just 1,000 feet from her front porch and has neighbors just 800 feet from the same operation. "We need some things set. They've got to have some rules because it's just gotten way out of hand out here," she said. Reese said the state of

Kansas also has a quarter-mile setback and that Texas has a half-mile setback. Arkansas has no setback regulations, he said. The proposed rules note that they do not apply to operations approved and funded prior to the Oct. 8 suspension. The Coordinating Council on Poultry Growth “formed in October as an advisory council that includes members of the public, poultry industry and state agencies, and is chaired by Reese and Cherokee Nation Secretary of Natural Resources Sara Hill” was presented with the proposed emergency rules in its last meeting, Reese said. “We discussed it last Wednesday and gave them until the end of the week to get back with us on any recommendations or considerations,” he said. Pam Kingfisher, organizer of Green Country Guardians, said the new guidelines fall short on several marks, including addressing the question of concentrations of houses in small areas, and that no protections are offered churches, graveyards, parks or historic sites. A longer setback would be better, and proposed setback guidelines from wellheads and streams (100 feet for a private well, 500 feet from a public well, 200 feet from a stream) fall short, she said. “It addresses 150 feet from a highway but says nothing about gravel or dirt roads, which is most of what we have here,” she said. “It’s completely inadequate, in my mind. It doesn’t fix anything and is too little, too late, and it’s very sad.”

Rancher Rod Garman of Ground Zero Farms said poultry houses have been built within 500 feet of some homes near his ranch, so this would have been an improvement for those residences, but he added that the concentrations of poultry farms needs to be addressed. “What happens is we had them right next to us, yes, and we could smell them but it was not an air quality issue. Then they built six more across from us, then the second six and it was horrendous, and there are now 12 more in that same section that don’t even have birds in them yet,” he said. “In a 1-mile section we have 24 houses 60-by-600 feet, and in the next mile section there are another 40. “

don't mind the houses and I don't even want to even stop them coming, but I just don't want the concentrations of them," he said. Reese said the proposed emergency rules will not mark the end of the Coordinating Council or the end of the issue for the Agriculture Department. "This will address some of the more immediate concerns," he said. "It's certainly not the end. It's a step to move forward." Kelly Bostian 918-581-8357 kelly.bostian@tulsaworld.com Twitter: @KellyBostian