

Emergency setback rules the Oklahoma Board of Agriculture proposed for new or expanding poultry operations have drawn opposition from agriculture representatives as well as residents of eastern Oklahoma. The board announced last week it would take comments via email and that no public comment would be taken at its meeting where a vote will take place.

That meeting is set for 10 a.m. Tuesday in Oklahoma City. The proposed regulations, as well as the comment process, drew criticism from Green Country Guardians, a group organized to fight expanded poultry operations in the area, as well as from the Oklahoma Farm Bureau and the Oklahoma Cattlemen's Association. In the past year, poultry feeding operations have multiplied in eastern Oklahoma, especially Delaware County, with so-called "omega-houses," of six 66-foot-by-600-foot buildings that hold 20,000 to 30,000 birds each. The houses were erected with a \$10 permit that required only basic information about location and a required construction-phase water management plan. The existing rules resulted in many houses being built within feet of neighboring homes, rural community schools and churches. Most of the new and expanded operations are connected to Simmons Foods, which is building an expanded processing facility in Benton County, Arkansas. The proposed emergency regulations on new or expanding feeding operations would create a ¼-mile setback from an occupied residence, ½-mile from a public school or city limits and 150 feet from public highways or property lines. The Guardians group criticized the comment process for not considering that many elderly and other rural residents have limited internet access. Residents who did comment said the emergency rules don't go far enough and require more discussion. A group of at least two dozen people from the area said they plan to travel to Oklahoma City to watch the proceedings, even if they are not allowed comment. The group is going "because (the Oklahoma Department of Agriculture, Food and Forestry) needs to remember their mandate to serve the citizens of Oklahoma, not just corporate interests. They need to look us in the eye as they vote on our quality of life," said Pam Kingfisher, one of the group's organizers. "The emergency they are addressing is only the

projected bottom line of a wealthy corporation. Our true emergency has been happening for months, and the ODAFF commissioner and board have ignored our public concern and continued approving every application received.â€• The Oklahoma Farm Bureau and the Oklahoma Cattlemenâ€™s Association registered concerns. In a letter from the Farm Bureau, Director of Regulatory Affairs Marla Peek wrote that "emergency rules drafted without initial and considerable industry and stakeholder input are likely to have unintended consequences and be unsatisfactory to all parties."â€• The bureau also noted it wants to work with poultry growers and others in the upcoming legislative session to determine "what constitutes appropriate setbacks for poultry operations, so that poultry growers and their neighbors can enjoy use of their property."â€• Cattlemenâ€™s Association Executive Vice President Michael Kelsey wrote that the time allowed to consider and comment on the proposed emergency rule was inadequate at just one week and that one industry conference call "with a copy of the proposed rules received only 10 minutes prior" was also inadequate. Kelsey also said the issue could be addressed by the Legislature. Guardians member Brandy Whaler said the emergency rules were "thrown together and don't seem to carry much weight."â€• The rules are lacking in terms of setbacks from streams, watersheds and floodplains and don't address the high concentrations of houses, some with 40 to 50 in a square mile. The wording of the rules also addresses "city limits," highways and schools with no apparent concern for rural landmarks, unincorporated communities or churches outside city limits. "There is nothing for churches, and that ignores small-town values. Those are our sanctuaries, and they are not identified or noticed in these rules, so you have to wonder, are they so far out of touch with rural communities, or do they just not care?"â€• Kelly Bostian 918-581-8357 kelly.bostian@tulsaworld.com Twitter: @