# **STIR**Kingfisher%20small%20jpg[1]

**Save the Illinois River Inc.**

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February 5, 2019

Oklahoma Board of Agriculture Food and Forestry

Oklahoma Secretary of Agriculture Blayne Arthur

2800 North Lincoln Blvd.

Oklahoma City, OK 73105

**Dear Oklahoma Board of Agriculture** and Secretary Arthur,

**Regarding:** Chapter 17. Water Quality, Subchapter 5. Registered Poultry Feeding Operations:

Save the Illinois River, Inc. (STIR) is a nonprofit, citizen’s coalition founded in 1984 which advocates for Oklahoma Scenic Rivers and Tenkiller Lake. STIR wishes to comment on the proposed changes to the Oklahoma Registered Poultry Feeding Operations Act (the Act) you are now considering.

In 2017-2018, the Oklahoma Department of Agriculture licensed approximately 200 very large, new poultry barns in northeastern Oklahoma, mostly in Adair and Delaware Counties.  The rapid construction and concentration of these new or expanded poultry farms created great public concern for water quality, for public and private water supplies, for air quality and for the quality of rural Oklahoma life in general. A moratorium on new poultry farm applications was approved.

No public notice was given private property owners living near these very large, new or expanding poultry farm operations. There also existed no opportunity for public comment which might have challenged these poultry farm licenses based on nuisance and damages to private property rights. Private property owners like Mr. Carl Manning of rural Adair Country were surprised and distressed at poultry barns construction adjacent to their property. No relief was available to Mr. Manning, a Vietnam veteran, or to other private property owners either from the State of Oklahoma, the Cherokee Nation of Oklahoma or local government agencies. When the poultry barns near Mr. Manning’s home are cleaned, the smell is unbearable, and a layer of brown “dust” covers his pickup truck and autos. In short, there was and still is no due process for private property owners in your system of poultry farm licensing. This is grossly unfair.

For decades the damage to water quality from poultry waste has been documented in northeastern Oklahoma where these new poultry farms are concentrated. Designated Oklahoma Scenic Rivers, Lake Tenkiller and other high-quality waters including Spring Creek and Snake Creek are in these areas.

In order to adequately protect water quality and public and private property rights, STIR believes the proposed changes to the Act should be more protective. We respectfully suggest the following changes and additions to the rules you will consider on Tuesday, Feb. 5, 2019:  
   
1.  Setbacks from streams and public and private water wells should be at least 660 feet to protect ground and surface waters.  
  
2.  Setback requirements should apply to all commercial poultry farms including those of 30,000 birds or less.

3.  Setbacks from existing poultry farms and newly approved new or expanding poultry farms should be at least one-mile in order to prevent a concentration of farms in any geographic area.  
  
4.  Provision should be made for public notification of new or expanding poultry farm applications in the Press and in posted notices, including actual notice to property owners within a one-mile radius of the proposed location, and a 90-day public comment period should be provided citizens of Oklahoma.

5.  Poultry waste (litter and manure) should not be land applied within one-mile of a stream.

6.  There should be no waiver of setback requirements by city or county government bodies or by school districts.

**Sincerely,**

Denise Deason-Toyne, President of STIR

***“Clean Water is Northeastern Oklahoma’s Future”***