HCS HB 1177 -- CONCENTRATED ANIMAL FEEDING OPERATIONS

SPONSOR: Myers (Guest)

COMMITTEE ACTION: Voted "do pass" by the Committee on Agriculture by a vote of 21 to 2.

This substitute modifies the statutes on concentrated animal feeding operations (CAFO) making Missouri's regulations consistent with federal regulations. The substitute:

(1) Requires the Missouri Clean Water Commission to promulgate rules regulating the establishment, permitting, design, construction, operation, and management of a Class I CAFO;

(2) Requires that regulatory or local controls imposed by any form of local government concerning the establishment, permitting, design, construction, operation, and management of a Class I CAFO must be consistent with the provisions of the substitute. Local governing bodies, however, may impose stricter controls if those controls are recommended by the board of the respective local soil and water conservation district and based on empirical peer-reviewed scientific and economic data that clearly documents the need and cost-effectiveness of the more restrictive controls;

(3) Permits the Department of Natural Resources to designate an animal feeding operation as a CAFO if it is determined to be a significant contributor of pollutants to the waters of the state;

(4) Clarifies that the terms "point source" and "water contaminant source" as defined for the purposes of the Missouri Clean Water Law are not to include agricultural storm water discharges and return flows from irrigated agriculture; and

(5) Clarifies that the term "discharge" as defined for the purpose of the Missouri Clean Water Law is not to include an accidental release of contaminants confined entirely upon the owner's land and the contaminants are removed so that limitations set in the law are not exceeded.

FISCAL NOTE: No impact on General Revenue Fund. Estimated Net Effect on Other State Funds of an income of $150 in FY 2005, a cost of $9,000 in FY 2006, and $0 in FY 2007.

PROPONENTS: Supporters say that the bill places Missouri in compliance with federal guidelines and includes the recommendations from the Governor's Task Force on Agriculture.

Testifying for the bill were Representative Guest; Dale

Whiteside; Missouri Pork Association; Missouri Farm Bureau; Missouri Cattlemens Association; Missouri Ag Industries Council, Inc.; Missouri Dairy Association; Missouri Egg Producers; and Missouri Poultry Federation.

OPPONENTS: Those who oppose the bill say that the current law works well; and local county control of concentrated animal feeding operations and animal feeding operations is essential to protect human health, quality of life, property values, and water quality.

Testifying against the bill were Department of Natural Resources; Eva Danner, Livingston County Commissioner; Missouri Farmers Union; and Sierra Club.

Roland Tackett, Legislative Analyst