

SCS HCS HB 1177 -- CONCENTRATED ANIMAL FEEDING OPERATIONS

(VETOED BY THE GOVERNOR)

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

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

(2) Requires that regulatory or local controls imposed by any form of local government concerning the establishment, permitting, design, construction, operation, and management of an animal feeding operation must be consistent with the provisions of the bill. Local governing bodies, however, may impose controls if prior to imposing the controls, a recommendation based on peer-reviewed scientific and economic data clearly documenting the geological, environmental, and economic impact of the controls is requested from the respective soil and water district board. If no recommendation is received within 180 days of the request, the local governing body may impose the more restrictive controls;

(3) Allows 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 and has an animal feeding capacity of Class II CAFO or greater;

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

(5) Requires that no notice of violation be issued for the accidental or unintentional release of water contaminants, where the contaminants are entirely contained and removed to the extent that any flow of water that leaves the property and enters the water of the state is in compliance with the Missouri Clean Water Law.