

HB 376 -- CONCENTRATED ANIMAL FEEDING OPERATIONS

SPONSOR: Guest

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

This bill changes the laws regarding 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;

(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; and

(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 stormwater discharges and return flows from irrigated agriculture.

FISCAL NOTE: No impact on General Revenue Fund in FY 2006, FY 2007, and FY 2008. Estimated Effect on Other State Funds of an Income of \$150 in FY 2006, a Cost of \$9,000 in FY 2007, and \$0 in FY 2008.

PROPOSERS: Supporters say that the bill places Missouri in compliance with federal guidelines and includes recommendations from the Governor's Task Force on Agriculture. The bill is friendly to the environment and to agriculture and establishes uniform statewide concentrated animal feeding operation requirements.

Testifying for the bill were Representative Guest; Missouri Pork Association; Missouri Farm Bureau; Paul Hines; Missouri Cattlemen's Association; Missouri Ag Industries Council, Incorporated; Farm Credit Services of Missouri; Department of Natural Resources; Missouri Dairy Producers Association; Missouri Egg Council; Missouri Soybean Council; MFA Incorporated; 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 in protecting human health, quality of life, property values, and water quality.

Testifying against the bill were Missouri Farmers Union; Farm Alliance of Rural Missouri; Margot McMillen; Missouri Rural Crisis Center; Silvia and Rolf Christen; Missouri Association of Counties; Sierra Club; and Office of the Attorney General.

Roland Tackett, Legislative Analyst