

SENATE AMENDMENT NO. 6

Offered by MnsLevel of 5th

Amend SS | Senate Bill No. 391, Page 1, Section title, Line 2

3-4

2 of the title, by striking "county health ordinances" and
3 inserting in lieu thereof the following: "agricultural
4 operations"; and

27

5 Further amend said bill, Page 2, Section 192.300, Line ~~38~~,
6 by inserting after all of said line the following:

7 "640.710. 1. The department shall promulgate rules
8 regulating the establishment, permitting, design, construction,
9 operation and management of class I facilities. The department
10 shall have the authority and jurisdiction to regulate the
11 establishment, permitting, design, construction, operation and
12 management of any class I facility. Such rules may require
13 monitoring wells on a site-specific basis when, in the
14 determination of the [division of geology and land survey]
15 Missouri geological survey, any class [IA] I concentrated animal
16 feeding operation [lagoons are] is located in hydrologically
17 sensitive areas where the quality of groundwater may be
18 compromised. Such rules and regulations shall be designed to
19 afford a prudent degree of environmental protection while
20 accommodating modern agricultural practices.

21 2. Except as otherwise provided [in subsections 3 and 4 of
22 this section] by a county planning commission, the [department
23 shall require at least but not more than the] following buffer
24 distances shall apply between the nearest confinement or

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1 production building or lagoon and any public building or occupied
2 residence, except a residence which is owned by the concentrated
3 animal feeding operation or a residence from which a written
4 agreement for operation is obtained:

5 (1) For concentrated animal feeding operations with at
6 least one thousand animal units, one [thousand feet] mile;

7 (2) For concentrated animal feeding operations with between
8 three thousand and six thousand nine hundred ninety-nine animal
9 units inclusive, [two thousand feet] one and one-half miles; and

10 (3) For concentrated animal feeding operations of seven
11 thousand or more animal units, [three thousand feet] two miles.

12 3. All concentrated animal feeding operations in existence
13 as of [June 25, 1996] August 28, 2019, shall be exempt from the
14 buffer distances prescribed in subsection 2 of this section.
15 Such distances shall not apply to concentrated animal feeding
16 operations which have received a written agreement which has been
17 signed by all affected property owners within the buffer
18 distance.

19 4. The department may, upon review of the information
20 contained in the site plan including, but not limited to, the
21 prevailing winds, topography and other local environmental
22 factors, authorize a distance which is less than the distance
23 prescribed in subsection 2 of this section. The department's
24 recommendation shall be sent to the governing body of the county
25 in which such site is proposed. The department's authorized
26 buffer distance shall become effective unless the county
27 governing body rejects the department's recommendation by a
28 majority vote at the next meeting of the governing body after the
29 recommendation is received.

1 5. Nothing in this section shall be construed as
2 restricting local controls."; and
3 Further amend the title and enacting clause accordingly.