MANURE/CAFO REGULATIONS UPDATE

Charlie Fulhage
Agricultural Engineer
EPA Requirements

New facilities must make phosphorus assessment

- Phosphorus index (developed by MU and NRCS personnel for Missouri)
- Soil test phosphorus
EPA Requirements

How will phosphorus be managed?
Probably according to a “risk” index

<table>
<thead>
<tr>
<th>P risk</th>
<th>Management strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>Manage for nitrogen uptake</td>
</tr>
<tr>
<td>Medium</td>
<td>Manage for nitrogen uptake</td>
</tr>
<tr>
<td>high</td>
<td>Manage for phosphorus uptake</td>
</tr>
<tr>
<td>Very high</td>
<td>No phosphorus applied</td>
</tr>
</tbody>
</table>
EPA Requirements

Management strategies for phosphorus can be developed with a “banking” concept

- Phosphorus in excess of crop uptake can be “carried over” into subsequent crop years
- Plans are likely to be developed with 4 or 5 year cycles that include annual updating
EPA Requirements

EPA has not yet developed their final rule

- Legal wrangling
- MDNR will not implement new provisions until EPA issues their final rule
- If legislative action is required, probably will happen in 2008 legislative session
Local (Missouri) Issues

Missouri Farm and Food Preservation Act SB 364

- Addresses the issue of local (county ordinance) control of livestock feeding operations vs. more uniform state control
Local (Missouri) Issues

Missouri Farm and Food Preservation Act SB 364 – primary provisions

- Protect farmers from “……..unjustified lawsuits”
- Limit regulation of agriculture to state and federal levels
Local (Missouri) Issues

Missouri Farm and Food Preservation Act 364 – negotiated provisions added

- No new Class 1A CAFO’s unless approved by county commission (Class 1A CAFO=7,000 AU)

- 7000 animal units = 17,500 hogs
  4,900 dairy cows
  7,000 beef
  700,000 broilers
Local (Missouri) Issues

Missouri Farm and Food Preservation Act SB 364 – negotiated provisions added

- Increased setbacks for new CAFOs not designated as “MELO”
- MELO = Managed Environmental Livestock Operation
- New “MELO Standards” to be developed
Local (Missouri) Issues

Missouri Farm and Food Preservation Act SB 364 – negotiated provisions added

- Existing county ordinances remain in effect until MELO Standards are developed
- Create 5-member CAFO Review Board
  MAC (MO Ass’n. of Counties)
  MDA
  MDNR
  Uof MO
  Governor appointee from ag sector
Local (Missouri) Issues

Missouri Farm and Food Preservation Act SB 364 – negotiated provisions added

5-member CAFO Review Board

- Develop MELO Standards
- Have input on MDNR livestock facility permits
Local (Missouri) Issues

Missouri Farm and Food Preservation Act

SB 364 – negotiated provisions added

- Increased state regulations for new livestock facilities greater than 650 AU

- Increased setbacks from specified lakes for new CAFOs of any size greater than 650 AU

- Increased size and expanded use of the livestock indemnity fund
Local (Missouri) Issues

Missouri Farm and Food Preservation Act SB 364 – negotiated provisions added

- Authorization of state tax credits to address issues such as odor control abatement and infrastructure improvements

- Grandfather in existing CAFOs (still required to comply with state and federal regulations)