

## MEMORANDUM

**TO:** Boone County Commission

**FROM:** Hinkson Creek Collaborative Adaptive Management Stakeholders Group

**DATE:** July 10, 2019

Dear Boone County Commissioners:

The U.S. EPA has issued two water quality impairment actions related to the Hinkson Creek. THE U.S. EPA designated the Hinkson Creek as a biologically impaired stream due to an unknown contaminant. The Collaborative Adaptive Management (CAM) Stakeholder Group was created in 2011 to address these issues.

The goals and objectives of the CAM were to implement the Hinkson Creek TMDL and improve Hinkson Creek by 1) identifying primary pollutants of concern, 2) improving diversity of key indicator species, 3) improving the ecosystem health and water quality, 4) establishing a stakeholder process to ensure actions are taken in a reasonable timeframe, and 5) achieving the ultimate goal of meeting the applicable water quality standards.

In addition, due to agricultural and urban runoff, the Hinkson Creek was again designated by the U.S. EPA as being impaired by bacteria (*E. Coli*) exceeding applicable water quality standards.

The Hinkson Creek land use area includes more than 89 square miles and protecting the watershed from additional pollutant runoff is critical in resolving current water quality impairments identified by the U.S. EPA and Missouri DNR. The Boone County Commission needs the authority to regulate Confined Animal Feeding Operations (CAFOs) to ensure a healthy environment for its citizens and to conform with federal and state environmental guidelines in the Hinkson Creek watershed as well as other watersheds in Boone County.

Missouri DNR permits CAFOs of up to 7000 cows or 17,500 hogs. The planned Pipestone CAFO in Cooper County is estimated to have 7,700 hogs and produce hundreds of 1,000s cu. feet of waste per year. DNR permitting, monitoring and regulating of these facilities are inadequate to protect watersheds impacted by CAFOs.

The Cooper County Health Board sought to strengthen protections with health regulations that passed in August 2018. The board met with experts and facilitated conversations with stakeholders. Their regulations covered all Class I CAFOs (1,000+ cattle or 2,500+ hogs). They increased the setback to occupied homes to 100 ft, closed the loophole related to exported waste, and required that waste be knifed into the soil, not just spread on the surface where it has a higher risk of run-off into streams.

Furthermore, serious water quality risks that should be considered pertain to flooding risks, and the inevitable cracking and leakage from concrete containment pits as the soil

swells and shrinks with changes in moisture and temperature. Ultimately, we need regulations that seek to protect the health of the watershed and the communities that depend on these water sources.

Though the passage of SB 391 in the last Missouri legislative session attempts to strip counties of their power to enact more protective regulations, the CAM Stakeholders Group urges the Boone County Commission to pass strong CAFO regulations to protect the health of our citizens and our natural resources before Aug. 28 – the date that SB 391 is due to take effect. We believe that it is prudent to have regulations on the books before that time in case there are legal challenges in the future.