



March 5, 2024

Senator Jason Bean
Senate Agriculture, Food Production and Outdoor Resources
201 W. Capitol Ave., Rm. 321
Jefferson City, Missouri 65101

Dear Chairman Bean and Members of the Committee,

Missouri Coalition for the Environment is a statewide, advocacy nonprofit organization that works to empower Missourians to protect their environment and health. On behalf of MCE, I am testifying in opposition to Senate Bill 981 and urge this committee to vote “no” on this bill.

SB 981 is seeking to solve a problem that does not exist. The individuals behind this bill are seeking to weaken protections of Missouri’s waters from pollution under the guise that this is necessary or prudent because the U.S. Supreme Court decided last spring in the *Sackett v. EPA* case to change the definition of “Waters of the U.S.” We at MCE have heard individuals spew this misinformation at DNR hearings last summer and fall and fortunately, the DNR staff corrected the false concerns raised by explaining that these are not connected. However, efforts by a highly-paid special interest lobbyist have continued leading to the sponsorship of this bill and its House counterpart. The reality is that the definition of “waters of the state” is intended to be more encompassing than the federal “Waters of the U.S.” definition because the state government is closer to the waters and **can do more on the ground to protect these important resources, not do less.**

If SB 981 becomes law, it will drastically decrease the ability of Missouri DNR to control water pollution and will threaten water sources that are critical to half of Missouri’s population for drinking water as well as wetlands, which are valuable to preventing flooding - a critical natural tool we need in light of increased extreme weather events. If you look at the definitions of “waters of the state” in other states, they are almost all saying the same thing: “Waterbodies within or adjacent to our state, except for those that exist entirely on one property.” Stripping authority from DNR to govern groundwater and other small tributaries and wetlands would place Missouri at the bottom of the country’s list of ranking states who can control water pollution within their jurisdiction.

If SB 981 passes, it gives a green light to polluters to not worry about causing unlimited quantities of pollutants to runoff into our surface waters or leach through our soil in groundwater. It allows them to not worry about harming the endangered wetlands that hardly remain compared to one hundred years ago.

SB 981 also has confusing language, particularly with respect to lakes and ponds. It reads, “Lakes and ponds must have continuous surface connection to a relatively permanent, standing or continuously flowing body of water” in order to be deemed waters of the state. Are not lakes and ponds by definition considered waterbodies that are surrounded by land? This is going to make things very confusing for DNR to determine which lakes and ponds they can protect from pollution.



In closing, SB 981 is meddling with a definition that is clear, simple, and important to Missouri’s waterbodies and the people who rely on them. Changing the language will only benefit some special interest that is spewing misinformation about the impacts of the *Sackett* decision while creating a headache for DNR and serious health concerns for Missouri’s people. As such, I urge this committee to vote “no” on SB 981. Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads 'Melissa Vatterott'.

Melissa Vatterott, JD
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