

## Appealing Permit Decisions

Once the Department of Natural Resources (DNR) has issued a permit, citizens may still challenge the permit decision by filing a complaint with the [State of Missouri Administrative Hearing Commission](#) (AHC). The process for appealing any permit decision is included in the permit document. It can be found either in the cover letter for a permit or at the end of the permit document itself. It should read something like this [emphasis added]:

**“If you were adversely affected by this decision, you may be entitled to an appeal before the Administrative Hearing Commission (AHC) pursuant to Sections 644.051.6 and 621.250, RSMo. To appeal, you must file a petition with the AHC within 30 days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC...”**

**You do not have to be an attorney to file an appeal.** The appeal process is an “administrative challenge” of an agency’s decision – *not* a lawsuit. To support your challenge, you must demonstrate that the decision has adversely affected or will adversely affect your interests. You may mention some of the following concerns:

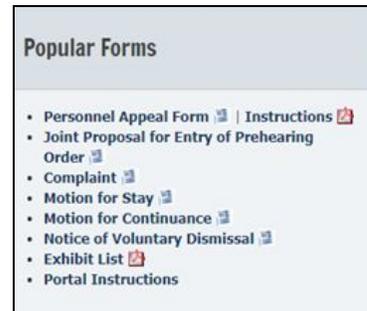
- Odors will inhibit enjoyment of your property
- Facility will disrupt your farm/other local farms
- Facility will diminish your property value
- Water pollution will inhibit your aesthetic or recreational use of nearby waterways
- Water pollution will contaminate your drinking water source (e.g. private well)

Note that you must file your appeal within 30 days of the decision: in this case, the decision is when the permit was issued by DNR. You will usually see the date stamped on the first page of the permit document before the text (see below).



## Filing a Complaint with the Administrative Hearing Commission

You will make your appeal by submitting a complaint to the State of Missouri Administrative Hearing Commission (AHC) within 30 days of the permit decision. AHC provides a [complaint form](#) for making an appeal, which you may download and fill out electronically or print and fill out by hand. If you have trouble accessing the form linked above, you can also download it from [AHC's home page](#) under 'Popular Forms' (see screenshot to the right).



You also have the option to attach supporting documents like photos, videos, and maps. Some examples may include:

- **Photos/videos:** The following are examples of some features that you can capture with photo/video which may be adversely affected because of their proximity to the proposed CAFO site:
  - Wildlife habitat, endangered species and/or migratory birds, on/near the proposed site
  - Waterbodies (rivers, lakes, streams) on/near the proposed site
  - Wetlands on/near the proposed site
  - Conservation areas, state historic preservation areas and/or recreational areas on/near the proposed site
  - Proposed site's proximity to your property/home and/or public buildings
  - Other CAFOs in your county, including:
    - Any water quality impacts (see image of hog manure pollution in a stream, upper right)
    - Any property impacts on your property (see image of manure spray, bottom right)
  
- **Maps:** **The permit document should provide the address and legal description of the CAFO site.** You may use this location to create your own map of the surrounding area showing important features like conservation areas, homes and public buildings, rivers and lakes, wells, and/or other CAFOs. You can also use the online mapping resources to identify and illustrate features that may be adversely affected because of their proximity to the proposed CAFO site:
  - US Fish and Wildlife Service [IPaC map](#) of endangered species, critical habitats, migratory birds and/or wetlands on/near the proposed site



- USDA Natural Resources Conservation Service [Web Soil Survey map](#) of soil types on/near the proposed site
  - Clay soil types ([Group D](#)) are most susceptible to runoff
  - Sandy soil types ([Group A](#)) have the highest infiltration rates and may be more susceptible to groundwater contamination concerns
- FEMA [Flood Map](#) of floodplains and flood hazard zones
- Map of other CAFOs near the proposed site
  - You may use a screenshot from MCE's [Interactive CAFO Map](#) or DNR's [AFO Map](#)

Note that if your complaint and supporting documentation exceed 50 pages, AHC requests that you electronically file (e-file) your complaint through [their system](#) (see e-filing instructions [here](#)). Otherwise, you may submit your complaint via fax, certified mail, or by delivering it directly to the office (*not* via email). See AHC contact information below:

Mailing Address:

Administrative Hearing Commission  
United States Post Office Building, Third Floor  
131 West High Street, P.O. Box 1557  
Jefferson City, MO 65102

Fax: 573-751-5018

Phone: 573-751-2422

Website: <https://ahc.mo.gov/>

Please contact Sophie Watterson at [swatterson@moenviron.org](mailto:swatterson@moenviron.org) if you have any questions about writing your complaint, demonstrating adverse effects, and/or using the mapping resources.