

Stay in compliance to protect farm

By NATALIE RECTOR

SOME people ask, "Aren't there any laws for these folks spreading manure?"



Others claim, "There are too many laws" regarding manure management. So what are the laws in Michigan? It is not possible to completely address this

in a short article, but here is a simplified overview.

MDA's GAAMPs

Since 1988, Michigan farmers have had the Generally Accepted Agricultural and Management Practice, or GAAMP, for manure management and utilization. This provides uniform, statewide standards and acceptable management practices based on sound science.

They were developed to provide farmers protection from public or private nuisance litigation under the Right to Farm Act when farmers voluntarily follow applicable practices, have a written plan and maintain records. GAAMPs also state that producers should manage livestock operations in a manner that minimizes odor impacts on neighbors.

GAAMPs are intended for any size farm and any livestock species. The Right to Farm Act is administered by the

Key Points

- GAAMPs provide uniform, statewide standards and acceptable practices.
- CAFOs must get a permit or be certified under MAEAP.
- Any size farm may be required to apply for a permit.

Michigan Department of Agriculture. The GAAMPs are not technically enforceable regulations, but when followed, provide nuisance and environmental protection.

CAFO regulations

A regulation for concentrated animal feeding operations applies to any farm that confines animals for more than 45 days during the year for any part of a day and where the confined area has no vegetation during the normal growing season.

This can apply to just about any farm in Michigan, from a three-horse stable to a 3,000-cow dairy.

The requirements of this regulation differ based on how many animals are confined. Since 2002, farms that confine 1,000 animal units (roughly equivalent to 1,000 pounds of body weight) or more have been required to apply for coverage under the National Pollutant Discharge Elimination System permit or

obtain verification through the Michigan Agriculture Environmental Assurance Program, or MAEAP.

In 2005, a state rule changed how animals are counted, and it is now based on the number of animals. A large CAFO is any farm that has 700 or more mature dairy cows; 1,000 cattle (heifers, steers, bulls, cow-calves); 2,500 swine over 55 pounds or 10,000 swine less than 55 pounds; 10,000 sheep or lambs; 500 horses; 55,000 turkeys; 82,000 laying hens; or 125,000 chickens other than laying hens not using liquid manure systems. The Michigan Department of Environmental Quality is delegated by the U.S. EPA to enforce the Federal Water Pollution Control Act (as amended) and the Michigan Act 451 of 1994, as amended.

Discharging any form of manure, wastewater or polluted stormwater into waters of the state is unacceptable for any size of farm. This means that any size farm that creates a problem that violates the surface water quality standards of the state will be asked to comply with the Department of Environmental Quality requirements. Any size farm may be required to apply for a permit, develop a comprehensive nutrient management plan, and be treated to the same recordkeeping, inspection and reporting requirements of

a large CAFO.

Large CAFOs must come forward and apply for a permit, but any size farm could find themselves in the same regulatory compliance situation.

DEQ inspects CAFOs

Large CAFOs must develop a comprehensive nutrient management plan, or CNMP, and maintain records of their actions, inspections, and operation and maintenance, and the farm will be inspected by DEQ. The CNMP has to be developed by a certified person, and a professional engineer must develop an evaluation of manure storage structures.

For Right to Farm protection, a less-intense written plan covering the management of manure nutrients and odor is needed. This plan will contain the components of manure management related to the production, collection, transfer, storage, utilization and odor control of manure, along with recordkeeping.

MDA addresses concerns related to the Right to Farm GAAMPs. When situations violate water quality standards of the state, MDA is obligated to turn these farms over to the DEQ. Visit www.maeap.org for additional details.

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