Right to Farm
Coverage of On-farm Compost Production

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The controlled biological decomposition of organic matter results in compost. Therefore by definition, manure that is not managed by generally accepted compost production standards cannot be called compost. At best it is decomposing manure.

Uses and Benefits of Compost

Compost has many uses and benefits in a cropping system. Compost encourages the formation of appropriately sized soil aggregates which protect the soil from erosion and compaction. It enhances soil fertility through the slow release of macro- and micro-nutrients, as well as improving the availability of nutrients to growing crops. Most importantly, compost helps support living biological systems by imparting soil with beneficial microorganisms that suppress or control soil-borne plant pathogens. These suppressive qualities occur in compost made with specific feedstocks for specific cropping systems. Feedstocks, in this context, refer to the organic matter used to supply the carbon and nitrogen necessary for compost production. Examples of carbon feedstocks include sawdust and straw. Examples of nitrogen feedstocks include manure and fresh grass clippings.

What Does It Mean to Have Right to Farm Coverage?

The Michigan legislature passed into law the Michigan Right to Farm (RTF) Act (Act 93 of 1981). The Michigan RTF Act requires the establishment of Generally Accepted Agricultural Management Practices (GAAMPs). These practices are written to provide uniform, statewide standards and acceptable management practices based on sound science. On a livestock farm where manure is produced, these practices are implemented through a Manure Management Systems Plan (MMSP) found in the GAAMPs for Manure Management and Utilization (commonly referred to as the Manure GAAMPs). The Manure GAAMPs can be found at <http://www.michigan.gov/gaamps>. A farmer complies with the intent of the Michigan Right to Farm Act when a MMSP is developed, implemented, and sufficient documentation is provided to prove the plan was followed.

As an increasing number of farmers are composting manure, there has been some confusion about how far RTF coverage extends, especially for farmers who: a) bring feed-
stocks used in compost production onto the farm, and b) sell compost to others. The purpose of this article is to clarify what coverage a farmer can expect under RTF if he/she chooses to compost manure.

**Biological Treatment Method**
According to the Manure GAAMPs, a biological treatment system is designed to convert organic matter, such as feed, bedding, animal manure, and other agricultural by-products, to more stable end products. Composting is listed as a biological treatment method in the Manure GAAMPs. Therefore, compost production, as a biological treatment system for manure, is part of a farm’s MMSP. Compost production practices referenced in the Manure GAAMPs are from the On-Farm Composting Handbook (NRAES-54). Farms considering composting manure should add this handbook to their library. It can be purchased from any MSU Extension office in the state.

**Compost Production Scenarios**
With regards to composting manure and the distribution of compost, a number of different scenarios could occur on a farm. The feedstocks used to make the compost, scale of farm operation, composting method, and final utilization of the compost will determine whether the material and activities are covered under RTF or are regulated by the Michigan Department of Environmental Quality (MDEQ) Waste and Hazardous Materials Division (WHMD) and/or Water Bureau [for farms under a National Pollutant Discharge Elimination System (NPDES) permit].

**Scenario I**
In general, manure generated and composted on a farm (as a form of treatment) may be used on that same farm or taken off that farm for off-site utilization at another farm under RTF. Compost use and application should follow GAAMPs recommendations.

**Scenario II**
Manure generated on one farm and brought to a different farm for composting (as a form of treatment) may be used on the farm where it is composted under RTF, if managed according to GAAMPs. Any distribution of the composted manure from the farming operation will be considered ‘commercial composting’ and subject to NREPA part 115 rules, as administered by MDEQ WHMD.

**Scenario III**
Similarly, yard clippings (e.g., grass clippings, leaves, small brush, as defined by part 115) brought to a farm for composting (as a form of treatment) may be used as a soil amendment on that same farm under RTF, if managed according to GAAMPs. In most cases the farm will need to have and follow a Compost Operation Plan (COP) approved by MDA. A COP includes a site plan, inventory of amount(s) of material(s) received, a description of how the materials will be composted, a description of storm water and runoff management practices, and utilization of the finished compost.

For MDA to make a GAAMPs determination under this scenario, the farm will need to:
- Submit a COP to MDA.
- Allow MDA to conduct an on-site inspection.
- Produce adequate records to document adherence to the COP and conformance to GAAMPs for Nutrient Utilization (different from the Manure GAAMPs, but found at the same web site)

**Scenario IV**
Yard waste brought to a farm for composting (not as a form of treatment) and distributed from that farm in any form (raw yard waste, partially composted compost, or finished compost) is considered a commercial composting facility and is solely under MDEQ jurisdiction. A farmer has no RTF coverage under this scenario.

**Conclusion**
RTF coverage extends to all farms that make compost for their own use, as long as it is managed according to GAAMPs. Anything beyond this designation is considered commercial composting and does not receive RTF coverage. These operations fall under the purview of the MDEQ. If a farm is used as a commercial composting site, permits may be obtained from the MDEQ. Contact your local MSU Extension office for more information about on-farm compost production.