

Manure Transfer Agreement

(General Livestock Operation)

1. Purpose

Use this form if you are a livestock operation that intends to transfer liquid or solid manure and must account for this transfer in your Nutrient Management Plan ("NMP"). This form is NOT appropriate for the transfer of digestate from an Anaerobic Digester.

Legal Disclaimer: This form is to be used for the limited purpose of developing or updating and implementing your DNMP. There are no representations neither made nor intended regarding its suitability for any other purpose. You should consult an attorney regarding your intended transfer of agricultural waste and the desirability of a more comprehensive agreement defining your legal relationship with the transferee.

2. Background

The transfer of manure from your livestock operation is regulated by one or more of the following federal, state or local laws:

- Federal Clean Water Act (Title 33 USC Sec. 1251 et seq.),
- State Livestock Nutrient Management Act (Chapter 90.64 et seq. RCW),
- State Water Pollution Control Act (Chapter 90.48 et seq. RCW),
- Whatcom County Critical Areas Ordinance (WCC Sec.16.16 et seq.)

Accordingly, all dairies, Concentrated Animal Feeding Operations ("CAFOs"), or farms conducting agricultural activities within a critical or its buffer must have a NMP utilizing Natural Resource Conservation Service ("NRCS") conservation practice standards to protect surface and ground water quality. NRCS, WA Conservation Practice Code 633 (WASTE UTILIZATION) is applied where animal wastes (includes manure and bedding from manure solids) are utilized. Since Whatcom is an area where surface and groundwater quality has been identified as impaired by nutrients or pathogens the following Code 633 criteria are specifically made applicable:

- "Where [manure is] to be spread on land not owned or controlled by the producer, the waste management plan, at a minimum, shall document the amount of [manure] to be transferred and who will be responsible for the environmentally acceptable use of the [manure]."
- "[Manure] applied to land in areas with an identified nutrient or other [manure]-related water quality impairment shall follow criteria set forth in the Nutrient Management Conservation Practice Code 590".

For these reasons, every farm or business receiving manure under this agreement must handle the manure in the manner prescribed here and make the certifications set forth below.

3. Persons Involved in this Agreement

In consideration of the exchange of promises set forth below, this agreement is entered by and between:

Exporter (Livestock operation supplying or transferring the manure)

Name of Owner or Operator: _____

Doing Business As: _____

and Importer (The business or farm receiving the manure)

Name of Owner or Operator: _____

Doing Business As: _____

Address: _____

City and ZIP: _____

Phone: (_____) _____ - _____

Email: _____

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4. Term of Agreement

The transfer of manure under this agreement will:

- Begin date: ____/____/____, and
- End date: ____/____/____, or
- When revoked in writing by either the transferor or transferee.

Importer's Agreements [Complete Section 4.1, 4.2 or 4.3 only]

- 4.1. I am in the business of composting and agree to receive _____ tons or yards of solid manure. I certify that I have adequate storage and handling facilities to protect surface and groundwater from nutrients and pathogens and that the composted manure will not be applied to any land under my control.

_____/_____/_____
Importer Date

(or)

- 4.2. I am a non-dairy farmer and agree to receive:

- 4.2.1. _____ Pounds of N from liquid manure,
4.2.2. _____ Pounds of N from solid manure.
4.2.3. _____ Tons/Yards of bedding produced from manure solids.

_____/_____/_____
Importer Date

(or)

- 4.3. I am a dairy farmer and agree to receive:

- 4.3.1. _____ Pounds of N from liquid manure,
4.3.2. _____ Pounds of N from solid manure
4.3.3. _____ Tons/Yards of bedding produced from manure solids.

I certify that before receiving any of the agricultural waste received under this my dairy nutrient management plan will be updated (if necessary) to properly address the receipt of these nutrients.

_____/_____/_____
Importer Date

5. Exporter's Agreements

I will supply the manure in the amounts set forth above along with a copy of the most current nutrient analysis.

_____/_____/_____
Transferor Date