

# The Nitrates Derogation 2019: key points to note

Tim Hyde

Environment specialist, Teagasc Crop, Environment and Land Use Programme

Derogation farmers in 2018 had several new things to comply with under the new Nitrates Action Plan (Nitrates Directive).

- 50% of all slurry produced on a derogation farm must be applied by 15 June. After this date, slurry can only be applied using low-emission equipment.
- If all slurry is applied before 15 June by splash plate or other methods, this is acceptable.
- Soiled water can continue to be spread by splash plate all year around.
- A derogation holding must have sufficient storage for all livestock manure and soiled water produced on the holding.
- Any soil samples used in a 2018/2019 derogation plan that were received in soil laboratories from 01/01/2018 cannot be for an area of more than 5ha.
- Soil samples taken prior to this date and used in derogation fertiliser plans can cover an area of up to 8ha.
- A separate requirement is that there must be a minimum of one soil sample for every 5ha. Teagasc recommend one soil sample for every 4ha.

## Other derogation requirements that you need to know

Derogation farmers must apply each year to stay in derogation.

- 2018 fertiliser accounts must also be submitted online by 31 March for those who applied for a derogation in 2018 and (also exceeded 170kg NpH in 2018).
- The 2019 deadline for online applications is 31 March.
- Where a new or amended fertiliser plan is submitted in 2019, only a plan produced by the Teagasc Online Nutrient Management Plan programme or Farmeye Nutrient Management Plan is acceptable.
- Only soil analysis dated after 15 September 2015 can be used for the fertiliser plan in 2019.
- Fertiliser accounts for 2019, including information related to management of nitrogen and phosphorus inputs and management of soiled water, shall be kept in relation to the farm and shall be submitted online no

later than 31 March 2020.

- You must be farming a holding that is at least 80% grass.
- A derogation is only available in respect of grazing livestock.
- You cannot import livestock manure on to your holding.

When applying for a derogation, the following documents must be submitted:

- A farm map indicating location soil samples and plot numbers.
- A fully labelled farmyard sketch showing manure storage facilities and livestock housing, that provides a link with the buildings outlined on the fertiliser plan;
- Fertiliser/nutrient management plan;
- Soil sample results.
- If fertiliser plans are subsequently amended for either new soil analysis, farm map and/or farmyard sketch, they must be submitted online.
- Derogation farmers are liable to a 5% DAFM inspection if in derogation.

Full details of the scheme are available on the Department of Agriculture, Food and the Marine Web site <https://www.agriculture.gov.ie/ruralenvironmentsustainability/environmentalobligations/nitrates/nitratesderogation/>

## What you should bring in to your Agri Advisor when completing your 2018 Derogation Fertiliser Records

- Feed for 2017: To complete records for 2018.
- Fertiliser for 2018: To complete records for 2018.
- Feed 2018: To prepare plan for 2019.
- Soil samples: must be dated after 15/09/2015 to be valid for 2019.
- Projected stock figures for 2019.
- Any changes to land area and crops for 2019.
- All yard measurements: eg new buildings, slurry storage facilities, etc.
- Copy of your 2017 fertiliser records (any opening stock of chemical fertiliser in 2018).

## What you should have when leaving your agricultural advisor

- Maps showing the lime, P and K status of your farm so you can plan a liming campaign over the next four years, where to target your livestock manures and chemical P and K

compounds (Remember 6:1 return on money spent on lime).

- A full understanding of what is in the fertiliser plan, particularly what the soil status of your farm is (needs to be compared to previous set of soil results).
- Details about the livestock manure storage capacity of the farm and what is the limit of the stock you could keep over a winter based on your current facilities. This is one major area that will be checked if you get a cross-compliance inspection.
- Updated plan for 2019 taking account of any changes in land area, stock numbers, etc.
- Remember, there are no limits to potash (K) or lime and these should be spread in line with soil analysis reports.
- Information about when you will need to next take soil samples to comply with derogations.
- Completed records for 2018.
- Maps showing the possible high organic matter (OM) areas on the farm which may need to be analysed for OM.

There are many associated benefits besides receiving the derogation itself:

- 1 Following the recommendations in a nutrient management plan will reduce costs; increase the effectiveness of nutrients; increase grass DM production/ha; improve farm sustainability and improve water quality.
- 2 Completing the derogation plan encompasses looking at your overall farming enterprise efficiency. It takes into account stocking rates, soil fertility, feed/forage input and farm output.
- 3 Having a nutrient management plan with regular soil tests allows farmers to assess the current soil fertility status on the farm and to see how the soil fertility has changed since the last set of soil results.
- 4 Lime status is the first key component in correcting soil fertility issues on farms and targeting this can help farms achieve the optimum pH for nutrient availability and responses.
- 5 Home-produced organic fertilisers (slurry and FYM) can be used to target those soil samples that are low in P and K. Silage and grazing areas that's don't normally receive these fertilisers need to be identified to target optimum slurry and fertiliser ap-

plications based on land use, distance from the yard, etc.

6 On the basis of soil fertility and crop use, a better mix of fertilisers can be used to balance soil requirements and farmers can manage the cost of fertiliser and lime to be purchased.

7 Over the past few years, derogation farmers are taking soil samples on a more regular basis to track P and K fluctuations while trying to maximise soil fertility.

There are three main jobs to be done each year for derogation: complete records for the year just gone, apply for the derogation and prepare a fertiliser plan for the coming year.

## Derogation farms must assess their manure storage requirements

Derogation farmers must have adequate slurry storage each year for all livestock over the winter period, otherwise they are ineligible to apply for a derogation. Farmers should assess their slurry storage calculations each year as this will highlight any surpluses or deficits on farm, especially where farms are in an expansion mode.

Calculate the slurry storage needed for your farm against what storage you have:-

## High organic matter

Farmers whose lands appear in the indicator map of possible high organic matter (OM) will need to discuss this with their Teagasc advisor or agri consultant. There are more detailed maps available to agri consultants and also on the DAFM AgFood site which bring this down to individual farm level. There are consequences for some farmers:

Soil types in these areas could possibly be >20% organic matter (peaty in nature). Soils with >20% organic matter are considered to be "At risk for nutrient runoff", which can affect water quality. The phosphorus fertilisation rates for these soils cannot be higher



than the amounts allowed for Index 3 soils which are known as maintenance amounts, which means the amounts that are needed to replace whatever the crop takes up.

Farmer and agri consultant have three options:

- Carry out organic matter analysis for each soil sample in the area concerned.
- If soils are mineral soils and the peat maps are incorrect then the agri consultant can sign off on this.
- Assume the map is correct and the soils are peaty (>20%OM) and then only maintenance dressings are allowed.

- Weeks storage is 16, 18, 20 or 22 weeks.
- Length, depth and width are all in metres.
- Adjusted depth means take 0.2m off roofed slatted tanks and 0.30m off unroofed tanks.
- Rainfall on these open tanks needs to be calculated separately.

Planning additional storage requires time and as planning permis-

sion may be needed this needs to be planned well in advance.

You may be able to qualify for TAMS II. Grants of 40% are available, and for qualified young farmers this could increase to 60% if the young farmer is the only name on the herd number or in a partnership/company. TAMS II is due to close in 2020 so plan now to have your application submitted this year.



## YOUR One-Stop Shop for

Box & Corrugated Sheeting  
Steel Purlins & Gutters  
Flashings & Accessories  
Curved & Vented Sheeting  
20 Year Guarantee  
CE Certified ISO 9001



## Sheeting Farm Sheds of the Future

### Cladding & Roofing Supplies

Agri Spec Sheeting Grant Approved  
by Department of Agriculture

Made to Suit Your  
Individual Lengths

Nationwide Delivery

Laser and HD Plasma cutting  
services also available.

Call: 021 7333987

[www.irishrollforming.ie](http://www.irishrollforming.ie)

Connect with Us: