

## Teagasc Notes for week ending Friday 18<sup>th</sup> February 2022

### EU Nitrates Derogation 2022 – What`s new?

The EU Nitrates Derogation provides farmers with an opportunity to farm at higher stocking rates, subject to certain conditions designed to protect the environment and meet the requirements of the Nitrates Directive. Since 2007 in Ireland, derogation is available to grassland farmers on an individual basis and permits farmers increase stocking rate up to 250 kgs of organic nitrogen per hectare (2.8 livestock units per hectare), rather than the 170 kg livestock manure nitrogen per hectare without the derogation.

The terms and conditions for derogation 2022 were announced lately by the Department of Agriculture, Food & Marine (DAFM) with *the proviso that all applications this year will be provisional pending the much awaited finalisation of Ireland`s fifth Nitrates Action Plan with the European Commission in March of this year.* **What changes are known at this stage?**

- Closing date for derogation applications & filing of Fertiliser Accounts for 2021 will be the 14<sup>th</sup> April (Holy Thursday) with all returns being made on-line only!
- GLAS participants in derogation will no longer be eligible for GLAS payments on either Low Emission Slurry Spreading (L.E.S.S.) or protection of watercourses from bovines as these measures are now enshrined in Law for all farmers farming above the 170 kgs organic N / Ha level.
- Derogation farmers must spread all slurry by L.E.S.S. & have all slurry spread by the 8<sup>th</sup> October in 2022 (1<sup>st</sup> October proposed in 2023).
- Rations fed to grazing livestock > 2 years of age cannot exceed 15% Crude Protein in the period April 15<sup>th</sup> to September 30<sup>th</sup>.
- Watercourses as identified on OSI 1:5,000 scale maps must be fenced from cattle, a minimum of 1.5m from top of bank or water`s edge with no water trough within 20m.
- New derogation applicants in 2022 with no soil samples will have to assume index 4 Phosphorous for farm i.e. no chemical P allowance.
- Existing derogation farmers who take on new lands owned/rented also will assume index 4 for Phosphorous if no soil analyses available.
- Any derogation farmers approved under the new DAFM Soil Sampling Programme must use the results of these analyses in their nutrient management plans if received pre 15<sup>th</sup> March 2022.
- Course requirements: new derogation applicants will be required to complete both: a) Nutrient Use Efficiency & b) Farming Sustainably/Water Protection modules by the 31<sup>st</sup> December 2022.

- Grassland management requirements: existing derogation farmers who completed 20 grassland measures on Pasture Base Ireland (PBI) in 2021 must again complete a min of 20 grass cover measures in 2022. New derogation farmers can a) complete 20 grass measures on PBI or b) attend two grassland workshops and complete a minimum of three grass covers on PBI in 2022 – this measure also applied to those existing derogation farmers who attended grassland management courses in 2021.
- The requirement to incorporate clover in reseeded mixtures remains as farmers strive to reduce chemical nitrogen application on farm to improve water quality & reduce greenhouse gas emissions on farm.
- Biodiversity options include a) to cut & maintain hedges on a three year rotation (i.e. 1/3<sup>rd</sup> per year to ensure flowers and fruit in hedgerows on farm for wildlife) or b) leave at least one white/blackthorn plant to mature per hedgerow on farm.

For further information and assistance with your Derogation application in 2022, contact your local Teagasc office as soon as possible.

Pat Moylan, Teagasc, Kilkenny.

