



Fact Sheet

Maryland's New Nutrient Management Regulations

What You Need to Know and Do to Comply www.mda.maryland.gov 410-841-5959

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The Maryland Department of Agriculture's (MDA) revised nutrient management regulations took effect October 15, 2012 and are being implemented in stages over the next several years. Here are descriptions of the new requirements along with corresponding deadlines.

Effective Immediately

- Nutrient management plans that were developed before October 15, 2012 will need to be updated when they expire or if there are changes to the operation that require modifications, whichever occurs first. Plans revised or updated after October 15, 2012 must be developed and implemented in accordance with the revised requirements outlined in *Maryland's Nutrient Management Manual*.

Beginning Spring 2013

- Manure, biosolids and other organic nutrient sources must be injected or incorporated into the soil within 48 hours of application. There are exceptions for spray irrigation on a growing crop, permanent pastures, hay production fields, and highly erodible fields. Information clarifying exceptions and guidance can be found at www.mda.maryland.gov. Click on Nutrient Management under the Quick Links menu.

Beginning Fall 2013

- Fall application of nitrogen is prohibited on small grains if a fall nitrate test indicates levels greater than 10 parts per million (ppm) for wheat or 15 ppm for barley.
- Cover crops must be planted when organic nutrient sources are applied in the fall.

Beginning January 1, 2014

- Farmers are required to establish a 35 ft. setback for fertilizer applications adjacent to surface waters and streams. The setback is reduced to 10 ft. when "directed" application methods are used such as directed spray or injection, which reduce the potential for nutrient losses. No crop plants may be grown on the 10 ft. setback area with the exception of pasture and hay. Crop plants may be grown on the remaining 25 ft. setback, but may not be fertilized unless a "directed" application method is used.
- Livestock access to streams and certain surface waters is restricted by a minimum 10 ft. setback. **Fencing is not a necessarily requirement.** The regulations allow soil conservation district staff to evaluate each site to determine whether alternative BMPs such as watering facilities, stream crossings, pasture management techniques or vegetative exclusion will work equally as well as fencing in protecting water quality.

Beginning July 1, 2016

- Nutrient applications are prohibited between November 1 and March 1 for Eastern Shore farmers and between November 15 and March 1 for Western Shore farmers. This requirement applies to farmers with 50 or more animal units (*1 animal unit equals 1,000 pounds of live animal weight*).

Beginning March 1, 2020

- Farmers with fewer than 50 animal units are prohibited from applying nutrients between November 1 and March 1 on the Eastern Shore and between November 15 and March 1 on the Western Shore.

Summary of Nutrient Application Requirements Now in Effect

- ✓ Chemical fertilizer may be applied from September 1-November 15 for a growing crop, as long as University of Maryland recommendations are followed.
- ✓ Organic nutrients (*except poultry litter*) may be applied from March 1-November 15 for an existing crop, a fall planted crop, or a crop that is planted the following spring, as long as University of Maryland recommendations are followed.
- ✓ Poultry litter may be applied in spring and fall for an existing crop or crops planted for the upcoming season, if it is applied following University of Maryland recommendations.
- ✓ Organic nutrient sources must be injected or incorporated into the soil within 48 hours of application. Certain exceptions exist.
- ✓ Winter application (November 16-March 1) of chemical fertilizer is prohibited. **Exceptions** exist for green up of perennial forage crops and small grains as well as greenhouse, cool season grass sod production, and vegetable and fruit production, if applications are performed following University of Maryland recommendations.
- ✓ Use of potash and liming materials is not restricted in winter.
- ✓ Manure deposited directly by livestock is not restricted at any time of year.
- ✓ Winter application of organic nutrient sources is permitted on cropland—with certain restrictions—until the 2016 deadline if:
 - an operation has inadequate manure storage through March 1*
 - the manure/waste is non-stackable*
 - there is no other reasonable option to manage the manure*