



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. Following are descriptions of the new requirements along with corresponding deadlines.

Effective Immediately

- If you have a one year Nutrient Management Plan (NMP) or a multi-year NMP that was developed before October 15, 2012, it will need to be updated to address new regulatory requirements when it expires or there are changes to your operation that require you to modify the plan, whichever occurs first. The new plan 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 and click on *Nutrient Management*.

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.
- Farmers whose fields have a Fertility Index Value (FIV) of 150 or greater are required to use the new *Phosphorus Management Tool* to determine phosphorus rates for plans developed after July 1, 2013.

Beginning January 1, 2014

- Farmers are required to establish a 35 foot 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 foot setback area with the exception of pasture and hay. Crop plants may be grown on the remaining 25 foot 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 feet. **Fencing is not a 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, while offering farmers more manageable or cost-effective solutions to fencing.

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 Fall and Winter 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 September 1-November 15 for an existing crop, a fall planted crop, or a crop that is planted the following spring if University of Maryland recommendations are followed.
- ✓ Poultry litter may be applied in fall for an existing crop or a crop planted for the fall if it is applied following University of Maryland recommendations.
- ✓ 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, vegetable and fruit production. Applications must be made 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 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*
 - certain restrictions apply*
- ✓ Exceptions to the winter ban on organic nutrient sources also apply to 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.