



An Roinn Talmhaíochta,  
Bia agus Mara  
Department of Agriculture,  
Food and the Marine

# Nitrates Action Programme changes 2023 & Nitrates Derogation post -2023

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20<sup>th</sup> January 2023

# Overview



- Background to 2021 review of the Nitrates Action Programme and Derogation decision
- Nitrates Action Programme and changes applicable from 2023
- Interim review 2023
- Nitrates derogation post-2023

# Ireland's Nitrates Action Programme



- Nitrates Directive –
  - Objectives *reducing and preventing* water pollution caused by agriculture
  - *Limit of 170kg livestock manure nitrogen/ha - may be higher provided won't prejudice objectives and justified*
- Each MS must draw up Nitrates Action Programme
- Ireland's first NAP came into operation in 2006
  - *Gives effect to the nitrates regulations*
  - *Designed to prevent pollution of watercourses from agricultural sources – nitrogen and phosphorous*
  - *To protect and improve water quality*
- NAP reviewed every 4 years – 2010, 2013, 2017 and 2021
- Given legal effect by (Good Agricultural Practice for Protection of Waters ) Regulations 2022 – S.I. 113 of 2022 as amended by S.I. 393 of 2022 and S.I. 716 of 2022

# Background to 2021 Review



## Fertiliser use

- Chemical Nitrogen use per year up ~30,000 – 40,000 tonnes on 2017 value

## Dairy Herd

- 12% increase in dairy cow numbers 2017-2021 (CSO June values)
- Increasing concentrated in the south and southeast



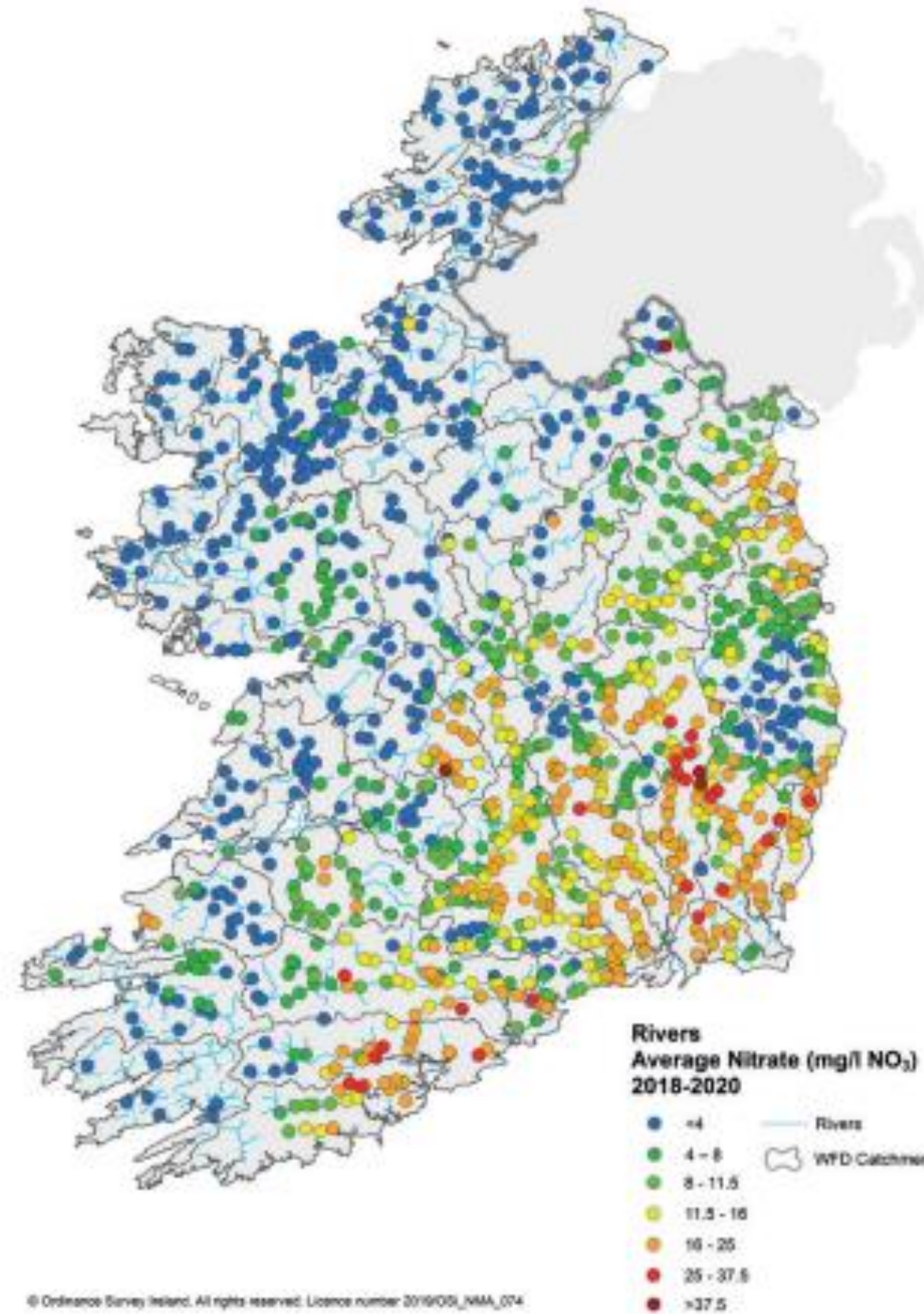
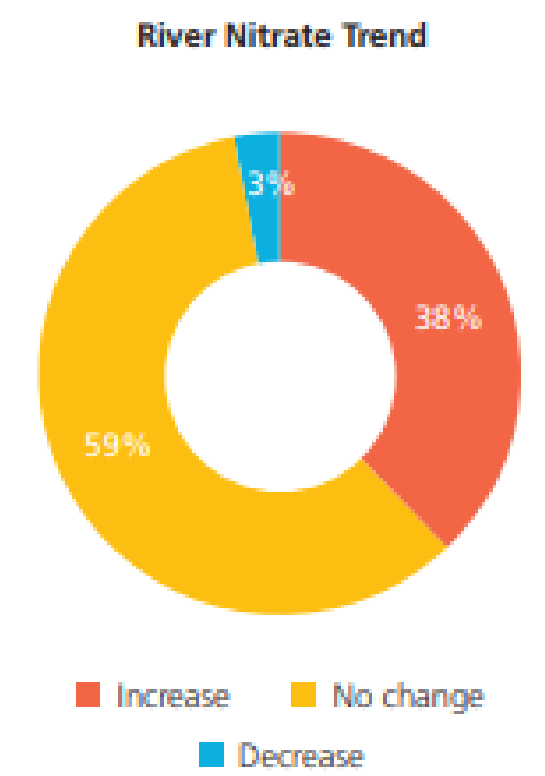
# Water quality and trends – 2020 data

## River nitrate

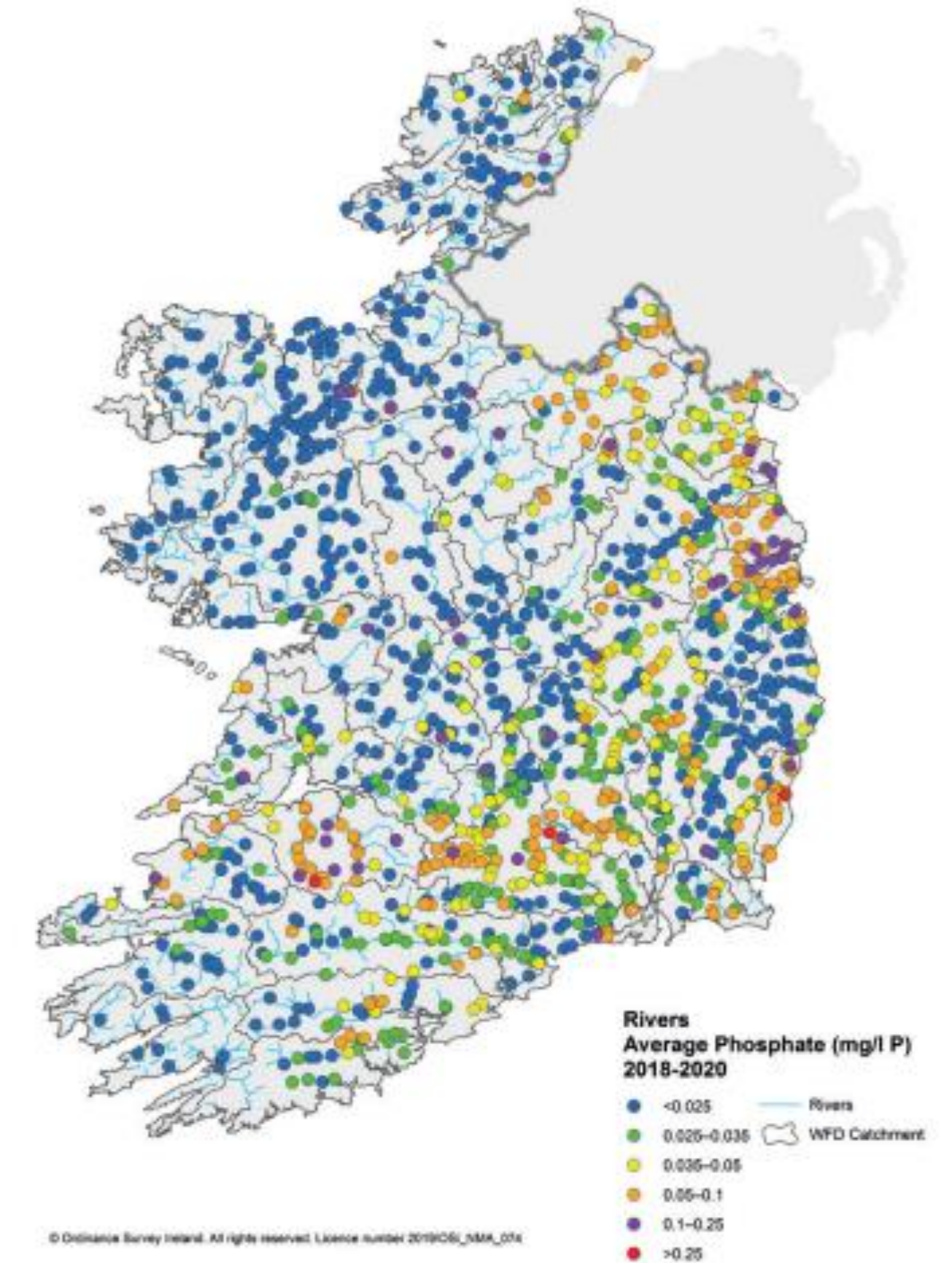
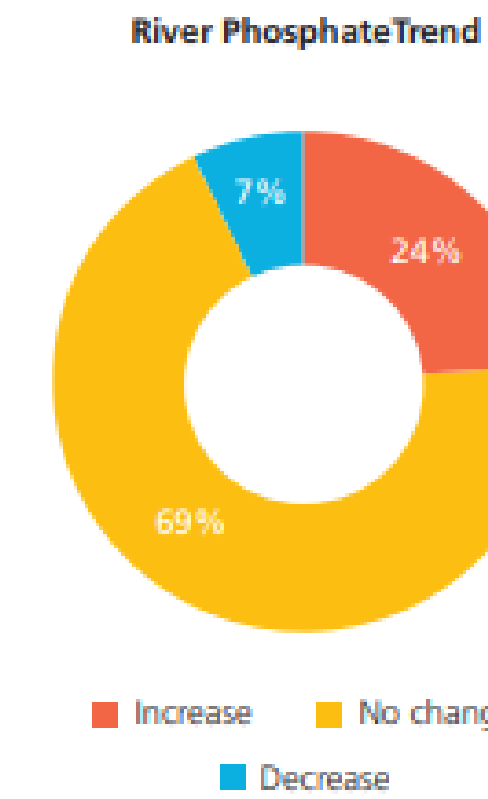
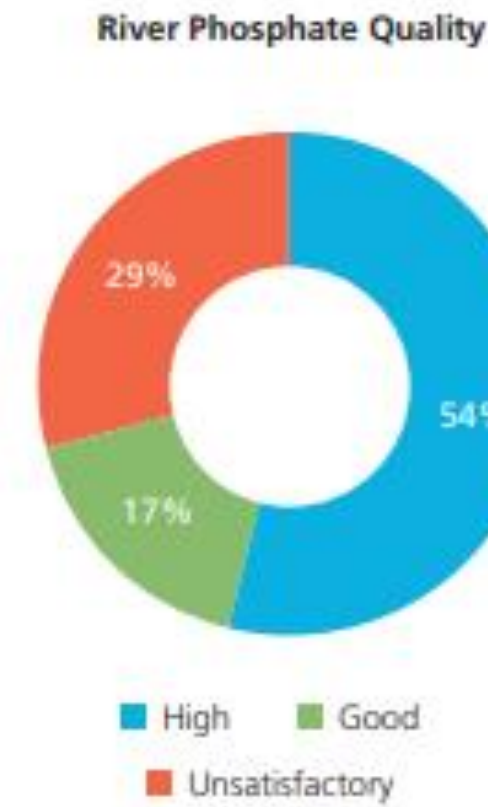
Quality



Trends



## River phosphate







# **Nitrates Action Programme Changes**

## **applicable from 2023**

# Closed Period - Slurry and Chemical Fertiliser



- Closed for slurry period starts 1<sup>st</sup> October 2023
- Closed period for chemical fertiliser ends 26<sup>th</sup> January, 29<sup>th</sup> January and 14<sup>th</sup> February in zones A, B and C respectively
- Predefined scientific criteria for slurry spreading extension up to 15<sup>th</sup> Oct or early chemical fertiliser from mid January – exceptional circumstances – Ministerial decision





# More efficient use of Slurry and Organic Manure



- Compulsory implementation of LESS expanding on phased basis:
  - All farmers operating above 150 kg N/ha from 2023
  - All farmers above 130 kg N/ha from 2024
  - All farmers above 100 kg N/ha from 2025
- From 2023 onwards:
  - LESS for all pig slurry
  - LESS for applications to arable land or incorporation within 24 hours





# Soiled Water Storage and Management



## Soiled Water Closed Period

- Between 10<sup>th</sup> December and 31<sup>st</sup> December 2023
- Between 1<sup>st</sup> December and 31<sup>st</sup> December 2024
- Between 1<sup>st</sup> December and 31<sup>st</sup> December 2025 for Winter/Liquid milk

## Soiled Water Storage

- 3 weeks storage in 2023
- 4 weeks storage in 2024
- 4 weeks storage in 2025 for Winter/Liquid milk



# Banding excretion rates for dairy cows

	<b>Milk Yield (Kg)</b>	<b>Milk Yield (litres)*</b>	<b>N kg/year</b>	<b>P kg/year</b>
<b>Band 1</b>	<4,500	<4,370	80	12
<b>Band 2</b>	4,501 - 6,500	4,371 – 6,313	92	13.6
<b>Band 3</b>	>6,500	>6,313	106	15.8

\*CSO co-efficient 1.0297

- From 1<sup>st</sup> January 2023
- Based on average herd milk yield on a rolling 3-year basis or for proceeding year
- Using DAFM AIM data and Dairy Co-op data
- ICBF online option or paper option to confirm band to DAFM



# Soil Sampling



- From 2023
  - All farmers above 130 kg N/ha must take soil samples
  - All sown arable land must be soil sampled
- Where soil samples are not taken P Index 4 will be assumed



# Buffer strips for tillage land



- 6m buffer required to protect intersecting watercourse if late harvested crops
- 3m buffer strip requirement for arable crops to align with CAP Strategic Plan

# Buffer strip for chemical fertiliser

- 3m buffer strip requirement for chemical fertiliser application on all land



# Other GAP Measures



- Storage of silage bales – max 2 high in absence of suitable facilities for collection and storage of effluent. Also minimum of 20m from surface water /abstraction point.
- 10% reduction in max chemical N allowances for grassland applicable from 2022

# Non-GAP Measures



- Fertiliser Sales Database
- Improving compliance and enforcement
  - ✓ Local Authority National Agricultural Inspection Programme
  - ✓ DAFM derogation inspections increased to 10% per annum in 2022
- Agricultural Sustainability Support and Advisory Programme (ASSAP) continues
  
- Outside the NAP
  - ✓ Water EIP €50m over 5 years
  - ✓ Accelerated Capital Allowances



# Interim Review



- Interim Review in 2023
- Effectiveness of NAP measures
- Introduce new measures as required
  - Review of covering external slurry store
  - Review of application of sludge
  - Possible further reduction in chemical N limit







# Nitrates Derogation

# Nitrates Derogation



- Derogation secured until end of 2025
- Commission Implementing Decision
  - Includes requirement for 2 year review of water quality
  - Polluted waters or where worsening trends occur maximum limit reduced to 220 kg N from 2024 onwards
  - Review to be concluded by 30<sup>th</sup> September 2023



# Conclusions



- We need to work together to stabilise and reverse recent negative trends in water quality
- Water quality in a catchment reflects the cumulative impact of all pressures
- Water quality is an issue for every farmer and every farm sector



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