

*Protection of water quality & compliance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 (S.I. No. 605 of 2017), as amended.*



*Environment Section*

*Sligo County Council*

*County Hall*

*Sligo*

*Protection of water quality & compliance with the requirements of the European Union Good Agricultural Practice for Protection of Waters Regulations, 2017 (S.I. No. 605 of 2017), as amended.*

- Sligo County Council is issuing general advice and guidance to agricultural stakeholders within various river catchments regarding the provisions of the European Union Good Agricultural Practice for Protection of Waters Regulations 2017 (S.I. No. 605 of 2017), as amended. These regulations detail the national requirements regarding the collection, storage, management and land-spreading of slurry, farmyard manure and soiled water produced on farm-holdings. The regulations also specify general requirements in terms of the land application of chemical fertilisers.
- The regulations are detailed and the provisions detailed below may be useful as a general reference for farmers operating within County Sligo.

*Collection and storage of organic fertilisers:*

- Livestock manure and other organic fertilisers, soiled water and effluent from dungsteeds, farmyard manure pits, silage pits or silage clamps shall prior to its application to land, be collected and stored in a manner that prevents the run-off or seepage, directly or indirectly, into groundwaters or surface waters of such substances.

*Landspreading of organic and chemical fertilisers and soiled water:*

*To satisfy the requirements of national regulations, all land-spreading activities should be carried out in accordance with the general provisions detailed below;*

1. Chemical fertiliser shall not be applied to land within 2m of any surface waters.
2. Organic fertiliser or soiled water shall not be applied to land within:
  - (a) 200m of the abstraction point of any surface waters, borehole, spring or well used for the abstraction of water for human consumption, in a water scheme supplying 100m<sup>3</sup> or more of water per day or serving 500 or more persons.
  - (b) 100m of the abstraction point of any surface waters, borehole, spring or well used for the abstraction of water for human consumption, in a water scheme supplying 10m<sup>3</sup> or more of water per day or serving 50 or more persons.
  - (c) 25m of any borehole, spring or well used for the abstraction of water for human consumption; other than a borehole, spring, or well specified in (a) and (b).
  - (d) 20m of a lake shoreline or a turlough likely to flood.
  - (e) 15m of exposed cavernous or karstified limestone features (such as swallow holes and collapse features).
  - (f) 5m of any surface waters (other than a lake or surface waters specified at paragraph (a) and (b)).
  - (g) The 5m distance specified in 2(f) shall be increased to 10m for a period of two weeks preceding and two weeks following the prohibited land spreading periods.
  - (h) 10m of any surface waters where the land slopes steeply towards the surface water.

#### Management and land spreading of farmyard manure:

1. Where farmyard manure is held in a field prior to land-spreading, it shall be held in a compact heap and shall not be placed within:
  - (a) 250m of the abstraction point of any surface waters, borehole, spring or well used for the abstraction of water for human consumption supplying 10m<sup>3</sup> or more of water per day of serving 50 or more persons.
  - (b) 50m of any borehole, spring or well used for the abstraction of water for human consumption other than a borehole, spring or well specified at paragraph (a).
  - (c) 20m of a lake shoreline or a turlough likely to flood.
  - (d) 50m of exposed cavernous or karstified limestone features (such as swallow holes and collapse features).
  - (e) 20m of any surface waters (other than a lake or surface waters specified at paragraph (a)).

***In summary:***

*Farmyard manure shall not be held in a field during the period November 1<sup>st</sup> to January 15<sup>th</sup>.*

#### Land spreading procedures and weather conditions:

The regulations also specify requirements as to the manner of application of organic fertiliser, weather conditions and periods of the year when land-spreading can be carried out. Livestock manure, other organic fertilisers, effluents, soiled water and chemical fertilisers shall be applied to land in as accurate and uniform a manner as practically possible.

*In summary: Organic fertilisers or soiled water shall not be applied to land;*

- *By use of an umbilical system with an upward-facing splash-plate.*
- *By use of a tanker with an upward-facing splash-plate.*
- *By use of a sludge irrigator mounted on a tanker, or*
- *From a road or passageway adjacent to the land irrespective of whether or not the road or passageway is within or outside the cartilage of the holding.*

*Fertilisers or soiled water shall not be applied to land in any of the following circumstances;*

- *The land is waterlogged,*
- *The land is flooded or likely to flood.*
- *The land is snow covered or frozen.*
- *Heavy rain is forecast within 48 hours. Farmers are to have due regard for weather forecasts issued by Met Eireann.*
- *The ground slopes steeply and there is a risk of water pollution having regard to factors such as surface run-off pathways, the presence of land drains, the absence of hedgerows to mitigate surface run-off, soil condition and ground cover.*

#### Prohibited Land-spreading Periods:

The regulations specify the period during which the application of fertilisers to land is prohibited. This varies on a national basis by region of the Country.

*In County Sligo, prohibited land-spreading periods are as follows:*

- *15 September to 15 January in the case of the application of chemical fertiliser.*
- *15 October to 15 January in the case of the application of organic fertiliser (other than farmyard manure).*
- *1 November to 15 January in the case of the application of farmyard manure.*

The Department of Agriculture, Food and Marine, in consultation with the Department of the Environment, Community and Local Government may issue public notifications regarding amendments to the prohibited land-spreading periods.

*Storage of Silage Bales & Supplementary Feeding Points:*

*In summary:*

*If silage bales are stored outside of farmyards in fields within a farmer's landholding, they shall not be stored within 20m of a surface watercourse or drinking water abstraction point unless adequate silage effluent collection facilities are available at the location.*

*Supplementary Feeding Points:*

Supplementary feeding points shall not be located within 20m of waters and shall not be located on bare rock.

*Minimisation of soiled water generated at farm-holdings*

The regulations set out general requirements in terms of minimising soiled water generated on farm-holdings;

- Clean water from roof and unsoiled paved areas shall be diverted away from soiled yard areas and prevented from entering slatted tanks, soiled water and silage effluent storage tanks.
- Rainwater gutters and downpipes shall be maintained in good working condition.

### Potential Penalties:

The regulations also detail the potential penalties that may be imposed for offences under the regulations.

A person who contravenes Parts 2 to 5 and Schedule 5 (subject to a number of exclusions) of the regulations is guilty of an offence and shall be liable;

- On summary conviction to a Class A fine or to imprisonment for a term not exceeding 3 months or both, or,
- On conviction on indictment to a fine not exceeding € 500,000 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

### Inspections regarding compliance with the Regulations:

On a national basis the Department of Agriculture, Food, & the Marine carry out a number of farm inspections each year to examine compliance with the provisions of the Good Agricultural Practice for the Protection of Waters Regulations 2017. This is supplemented by local authority inspections under requirements detailed in national water pollution prevention programmes. Duplication of inspections is avoided through the DAFM informing local authorities of the farms they will be

inspecting in any given year. Local authorities have been designated as the responsible authorities for enforcement of the regulations and issues of non compliance with the regulations will be forwarded to local authorities by the D.A.F.M. In addition, under national reporting procedures agreed, local authorities are required to report non compliance issues to the Cross Compliance Section of the Department of Agriculture, Food and the Marine. Financial penalties may be imposed on farm payments depending on the extent and severity of the non-compliance.

*The full text of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 (S.I. No. 605 of 2017), as amended, is available to view at;*

*<https://www.housing.gov.ie/water/water-quality/nitrates/si-no-605-2017-european-union-good-agricultural-practice-protection>*

*Further clarification in relation to the regulations and correspondence issued may be obtained from the Environment Section of Sligo County Council, County Hall, Riverside, Sligo, County Sligo.*