

**VARIANCE CRITERIA
FOR
WINTER SPREADING OF MANURE
ON
FROZEN AND/OR SNOW COVERED SOIL**

MAINE DEPARTMENT OF AGRICULTURE,
CONSERVATION AND FORESTRY

As per Maine's Nutrient Management Act of 1997, manure may not be spread on fields between December 1 and March 15 of the following year except by variance from the Commissioner of the Maine Department of Agriculture, Conservation and Forestry. The variance provision was included in the law to accommodate economic hardship and/or circumstances beyond the control of a farmer. An example of a circumstance beyond the control of the farmer would be a very wet fall where saturated soils prevent the farmer from driving on his/her fields to spread manure and resulting in insufficient storage capacity in the manure pit to accommodate manure generation until March 15. In such instances, if the manure pit were not lowered, the result would likely be an overflow of manure that may directly enter a concentrated flow channel and then travel into a waterbody. The purpose of this guidance document is to provide criteria for selecting fields which are the best suited for spreading manure in the winter, on frozen and/or snow covered soils when there is no other practical option to avert the environmental impact of a manure pit overflowing. That is, they have the least potential for generating runoff where the contaminated water may impact a waterbody, well or other resource of concern.

The Commissioner will not approve any variance for winter spreading of manure until it has been clearly demonstrated by the applicant that winter spreading is necessary for his/her operation and what steps the applicant has/will take to minimize the need to winter spread. This should include a discussion of the reason for the need to winter spread such as weather related conditions or management decisions. If it is necessary due to management decisions, the applicant must describe how and when management decisions will change to prevent such a need in the future. The applicant must describe steps to minimize the need to winter spread such as field stacking any solid manure instead of watering it down and mixing it in with the liquid manure in the manure pit.

TECHNICAL CRITERIA FOR WINTER MANURE SPREADING IN MAINE BY VARIANCE

The following technical criteria for winter spreading of manure in Maine are designed to be used as guidelines, not rules or regulations, in selecting the most appropriate field(s) on a particular farm for winter spreading of manure. In most instances, it will not be possible to select a field(s) that meets all of the preferences, so the applicant must choose the field(s) that have the best combination to achieve the goal of minimizing nutrient-enriched runoff.

I. Site Criteria:

- a. Preference should be given to fields with good vegetative cover, which will provide resistance to overland flow of runoff water. If vegetated fields are not available or other site factors are less desirable, bare fields may be selected.
- b. Where possible, preference should be given to fields that have conservation practices that reduce or slow runoff. Alternately, select fields that have little contributing watershed.
- c. Select fields that are as far away as possible from downslope environmentally sensitive areas (steep slopes, waterbodies, ditches, wells, neighboring houses etc.).
- d. Preference should be given to fields that have the least runoff potential.
- e. Select fields that are not prone to flooding.
- f. Preference should be given to fields that are moderately well drained or better for most soils. Somewhat poorly drained sediments are also preferential sites.
- g. Preference should be given to fields that are not shallow or very shallow to bedrock.
- h. Preference should be given to fields that have thickly vegetated buffers (not mowed or forested)
- i. Increase buffers from environmentally sensitive areas. The following may be used in lieu of site-specific setbacks determined by a qualified expert:
 1. 50 feet from intermittent streams and drainage ditches, gullies, swales and ravines.
 2. 200 feet from rivers, streams, lakes, ponds and marine waters
 3. 200 feet from wells and springs
 4. 100 feet from downslope property lines.
- j. Preference should be given to fields with an average slope of 8 percent or less.

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