

# Manure Application Setbacks

These setbacks relate to restrictions on the mechanical application of manure to certain areas of a farm. These setbacks do not restrict the application of manure deposited by grazing animals.

## I. Year-round manure application setbacks on the Act 38 farm and importers

- A. 100 feet from streams (intermittent and perennial), lakes, ponds, and open existing sinkholes; **unless** less there is a permanent vegetative buffer at least 35 feet in width next to the stream, in which case there will be a 35 foot manure application setback.
  - A stream is a body of water flowing in a defined bank and bed (composed primarily of substrates associated with flowing water) which, during periods of the year, is below the water table and obtains its flow from both surface runoff and groundwater discharges.
  - Permanent vegetative buffers are non-cultivated areas composed of perennial vegetation including haylands, pasturelands, grasslands, forested areas, or natural shrubs and other woody plants. The Nutrient Management Program imposes no harvesting restrictions on these areas.
- B. 100 feet from active private water wells
- C. 100 feet from active public water wells unless other state or federal programs require a larger setback

## II. Winter manure application setbacks on the Act 38 farm and importers

*(Winter is defined as December 15 – February 28, or when ground frozen 4 inches, or when the ground is snow covered)*

- A. 100 feet from inlet to above-ground inlet to agricultural drainage systems if the surface flow is toward the inlet
- B. 100 feet from a wetland identified on the National Wetlands Inventory Maps, which is within the 100 year floodplain of an Exceptional Value stream and the surface flow is towards the wetland

## III. Additional imported manure application setbacks *(on farms receiving manure from CAOs, CAFOs and volunteers)*

- A. 150 feet from top of the bank of a stream (intermittent or perennial), lake or pond if the Phosphorus Index is not run on the given field

## IV. Additional manure application setbacks on CAFO operations

- A. DEP may impose the setbacks outlined in "I." above on additional water bodies, as established in Chapter 91.36(b)
  - These possible additional setback areas are those that would fit into the general category of "surface waters", which can have a broader definition than the "streams, lakes, and ponds" description used by the Nutrient Management Act program.