

**TREE SHRUB ESTABLISHMENT  
(CODE 612)**

**DESCRIPTION**

Establishment of vegetation to achieve a natural resource conservation purpose.

**PURPOSES**

This practice is to be used to address a natural resource concern or improved conservation benefit by the U.S. Department of Agriculture's Natural Resource Conservation Service.

**CONDITION**

1. Tree/shrub establishment can be applied on any site capable of growing woody plants. This includes land entered into conservation programs sponsored by USDA or other state or federal agencies and private organizations.
2. If the practice is to be utilized under the Conservation Reserve Enhancement Program, the eligibility criteria for that program must have been met.

**POLICIES**

1. NRCS Standards and Specifications for Tree Shrub Establishment (Code 612) shall be followed when applying this practice.
2. Cost-sharing *is only authorized* for the planting of trees and shrubs on agricultural land and shall not result in the retirement of greater than 10% of land classified as Prime Farmland or Farmland of State Importance as designated by the NRCS Soil Survey.
3. Cost-sharing *is not authorized* for the following:
  - a) Plantings which will be established on critically eroding areas which usually cannot be stabilized by ordinary conservation treatment and management. (For site stabilization on these areas, refer to the conservation practice standard Critical Area Planting, Code 342).
  - b) Trees or shrubs that will be used for orchards, ornamental purposes, nursery production, or Christmas trees.
  - c) Non-native species, when used for wildlife habitat or reforestation purposes.
  - d) Tree/shrub plantings on forestland owned by participants principally engaged in primary processing of forest products (industrial forestland).
  - e) Replacement, repair, relocation, or installation of any utilities such as water, sewer, electric, gas, or telephone.
  - f) Replacement or reconstruction of other existing BMPs.
  - g) Planting of trees or shrubs for purely aesthetic purposes.
  - h) Moving or replacing existing fencing when planting trees or shrubs.
4. The applicant and the farm's Nutrient Management Plan must be in compliance with Maryland's Nutrient Management regulations (COMAR 15.20.08) at the time of Application.

No Applications will be approved without a Nutrient Management Plan Certification Form submitted with the Application (SECTION III, #30).

5. Livestock shall be excluded as necessary to establish and maintain the vegetative cover to meet its intended purpose. In addition, cost-sharing is authorized for the establishment of one or all of the following, if it is considered essential for the protection of the plantings:
  - a) Permanent Fencing (Code 382) for the purpose of livestock: exclusion in order to protect water quality and stream banks from damage.
  - b) Stream Crossings (Code 728) and/or Watering Facilities (Code 614), in order to minimize impact to buffer vegetation and function.
6. Vegetative cover shall be selected to accomplish the intended purpose of the practice, conditions of the site, and the objectives of the land user. Herbaceous and/or woody species may be appropriate. In situations where hardwood species are appropriate, tree shelters may be cost-shared at a maximum rate of 400 shelters per acre.
7. Site preparation and planting to establish vegetative cover shall be done at a time and in a manner to ensure the survival and growth of the selected species. It is eligible for cost-share provided it is an area of light infestation, i.e., less than 20% of the site is covered by *Multiflora Rose* or other invasive woody species. The maximum cost share available for site preparation is \$600 per acre. (NRCS 490)
8. This practice must be properly maintained for a minimum of fifteen (15) years. The applicant agrees to provide all equipment, labor, and materials needed to meet this requirement. At a minimum, these measures shall be carried out for the life of the practice:
  - a) Periodically inspect the plantings and repair or restore as needed to maintain the intended purpose from adverse impacts such as excessive vehicular and pedestrian traffic, pest infestations, pesticide use on adjacent lands, livestock damage, and fire.
  - b) Replace dead trees and shrubs as needed and control undesirable vegetative competition.
  - c) As applicable, control of concentrated flow erosion or mass soil movement shall be continued in the up-gradient area to maintain buffer function.

### OPERATION AND MAINTENANCE

Prepare an operation and maintenance plan for this site. As a minimum, include the following activities:

- a) Burn or mow the area periodically, if needed, to maintain the health of the plant community. Do not conduct maintenance practices and activities during the primary reproductive period of wildlife. Exceptions can be considered to maintain the health of the vegetative community if such exceptions do not conflict with agency requirements.
- b) Control access by vehicles and/or equipment during or after tree/shrub establishment to protect new plants and minimize erosion, compaction, and other site impacts.
- c) Inspect the site at an appropriate time following planting, seeding, and/or natural regeneration to determine whether the survival rate for trees and shrubs meets practice and client objectives. Replant or provide supplemental planting when survival is not adequate.

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- d) Inspect the trees and shrubs periodically and protect them from adverse impacts of insects, diseases, competing vegetation, fire, livestock, wildlife, non-functioning tree shelters and/or weed barriers, etc.
- e) If needed, control competing vegetation until the desired trees/shrubs are established. Control plant species on the Federal or State invasive species and noxious weed lists.
- f) If needed, apply nutrients to maintain the vigor of desirable trees/shrubs.
- g) Occasional removal of trees is permitted, provided that the intended purpose is not compromised by the loss of vegetation. In addition, such harvesting must occur as part of an approved forestry management plan.

### **COST-SHARE RATE**

The State cost-share payment will not exceed 100% of the total eligible costs, not to exceed \$150,000 per project from all funding sources.

USDA shares will be considered co-cost shares and entered accordingly on the Water Quality Project form (application) and Claim for Payment. Any USDA co-cost share entered on the Claim for Payment that was not entered on the Water Quality Project form may be determined to be an overrun and require an additional funding justification for the project.

## ATTACHMENTS

*Applicant(s) with till outstanding U11satisfact01J' On-Farm Status Review of previous project(s) may be ineligible for MACS Cost-Share funding. When the previous project expires with outstanding unsatisfactory status, the applicant is ineligible for any future MACS funding.*

*The following items are needed:*

1. A copy of a recorded deed(s) for the parcel(s) where the BMP is located. If the current, appropriate deed is already on file in the MACS Office, then record both the agreement number of the file where the deed is kept and the liber/folio numbers in the General Comments section of the application.
2. A copy of the Real Property Data Search page from the Maryland Department of Assessments and Taxation's website (<https://dat.maryland.gov>) indicating the Maryland Property View Account ID Number and owner information.
3. Aerial photograph indicating the property lines and existing and proposed BMPs.
4. Plan view sketch graphically demonstrating the layout and details of the proposed BMP.
5. Nutrient Management Plan Certification Form shall be submitted along with the Application (SECTION III, #30).