

MARYLAND DEPARTMENT OF AGRICULTURE

COVER CROP PLUS+ PROGRAM						
2023 APPLICATION / AGREEMENT						
*** For SCD Use ***			*** For MDA Use ***			
Date Received:			AGREEMENT #:			
District:			MACS Acct. #:	Date Rcvd:		
Section I – Applicant Information						
SS or FID# - Last Four (4) Digits Only		Phone Number		Email Address		
NAME and ADDRESS (of person or entity to receive payment). Include farm or business name, if any.				Farm Plans / Reports		
Name:				Do you have a current Nutrient Management Plan?	Y	N
Farm or Business Name:				Name on Annual Implementation Report (AIR)		
Address:						
City/State/ZIP:				Do you have a Soil & Water Conservation Plan?	Y	N
Section II – Technical Report						
Cover Crop+ with Conservation Tillage (Required)	Estimated Acres*	Rate (\$/acre)	Payment per year (Acres × Rate)			
Plant a fall cover crop mix by October 1 <u>AND</u> commit to conservation tillage for all 3 years <u>AND</u> terminate cover crop in spring within 10 days of planting next crop (or plant green).		\$125.00				
Additional Practices (Optional) – May choose more than one	Estimated Acres**	Rate (\$/acre)	Payment*** (Acres × Rate)			
Cover Crop following Commodity Wheat or Barley – Plant a multispecies cover crop immediately following the harvest of wheat or barley. Must maintain a viable cover crop throughout the summer, fall and winter, until the next spring.		\$15.00				
Integrate Livestock into Cropland – Rotationally graze a well-established cover crop. A grazing plan will be required by the time of fall certification.		\$15.00				
PSNT (Pre-Sidedress Soil Nitrate Test) – Use the PSNT to determine nutrient applications and timing on corn fields that have received organic amendments.		\$15.00				
		TOTAL:				
<p>* Fields that become fall-certified for cover crops in the first year will become the contracted acreage for the remainder of the agreement.</p> <p>** The acreage selected for additional practices must be part of the contracted acreage.</p> <p>*** Payments for additional practices will only occur in the year that they are implemented. If an additional practice is not completed/implemented in a given year, no payment will be issued.</p>						
STATEMENT CONCERNING CONTROL OF LAND						
I have reasonable confidence that I will have control of all lands enrolled in the Cover Crop Plus+ program for the duration of this 3-year Agreement, whether owned, leased, rented, or farmed by verbal agreement. If I cannot comply with the requirements of this Agreement due to loss of control of any enrolled fields, I will notify the Department immediately. I acknowledge the Agreement may then be terminated by the Department with no obligation to pay the applicant, and I may be liable to repay any funds received.						
Signature			Date			
Public Information Notice – The principal purpose of this application is to identify whom the agency intends to give State funds. If you fail to provide the requested information, the Department may not provide you with funds. You have the right to inspect, amend, or correct personal information collected by the agency. Much of the personal information collected by the agency is available for public inspection. This information is not routinely shared with state, federal, or local government.						

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Section III – Applicant Acknowledgment/Certification and Signature			
<p>Certification - I request financial assistance under this program to support the State's soil health goals. I have read the program requirements and understand: (1) the terms of eligibility, (2) my obligations under the program, and (3) the process and steps required to receive payments. I understand I am not accepted into the program until I have received a copy of my signed and dated agreement from the Maryland Department of Agriculture ("Department"). I acknowledge that if I fail to comply with any of the applicable program requirements or provide false information in this Application, such actions may result in: (1) termination of this Agreement by the Department, (2) being excluded from future Cover Crop Plus+ program participation, (3) having a claim for payment denied, and (4) being liable to return the full amount of any claim paid. I further acknowledge that a claim may be denied if I am non-compliant with other Department programs.</p>			
Signature of Applicant		Date	
For SCD and MDA Use		Section IV – Application Approval	
<p>The _____ Soil Conservation District has reviewed this referral and finds it adequate and appropriate for this program.</p>			
Authorized Signature (Designated Technician)	Date	Authorized Signature (Designated Chairman or Designee)	Date
The Maryland Department of Agriculture approves this application for Cover Crop <i>Plus+</i>			Fund Source:
Signature (MDA Representative)			Date
<p>This document may be executed in multiple counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Signatures provided by electronic means including, by way of example and not of limitation, facsimile, Adobe, PDF, and sent by electronic mail, or via an electronic signature program, shall be deemed to be original.</p>			

**COVER CROP PLUS+ PROGRAM
2023 Program Requirements and Agreement**

Applicant (Operator), whose application is approved by the Maryland Department of Agriculture (Department), agrees to the following terms and conditions to be eligible to participate in the Cover Crop Plus+ Pilot program that supports the State's Watershed Implementation Plan and Healthy Soils Program.

The Operator agrees:

1. To enroll a minimum of 5 acres (up to 500 acres) in this program.
2. To coordinate with the local Soil Conservation District to develop and/or update a Soil Conservation and Water Quality Plan for the enrolled farms within a year of being approved in the Program.
3. To establish a cover crop, as provided in the Appendix, for three (3) consecutive years on the same field, preceding the harvest of corn, sorghum, soybeans, vegetables, hemp, millet, tobacco, small grains or hay.
4. To plant a cover crop no later than October 1 of each year; and to notify the Soil Conservation District within **one (1) week of planting, and no later than October 7, of the planting.**
5. To plant a cover crop mix that contains at least 50% cereal grain or grass, and 25% legume, using the approved species and seeding rates as set forth in the Appendix.
6. To submit seed tags for purchased seed (signed by the operator) and seed tests for homegrown seed (likewise signed by the operator if the tests are not in the Operator's name), as set forth in the Appendix.
7. To allow no more than 10 days to elapse between the time ANY crop is terminated and the following crop is planted, thus maintaining a nearly year-round living root system in the soil. This applies to the time between: (1) harvesting a cash crop and planting a cover crop, (2) terminating a cover crop and planting a cash crop, and (3) harvesting a cash crop and planting a second cash crop.
8. To certify termination/harvest dates and planting dates and methods with the Soil Conservation District. **The Operator shall notify the District within one week of plantings.**
9. To use no-till or conservation tillage methods that minimize soil disturbance and leave at least 30% of the field covered with plant residue throughout the 3-year Agreement.
10. To ensure that at least 30% residue remains on the field after the spring crop is planted if the Operator chooses to green-chop the cover crop for the Operator's own use.
11. To apply all nutrient amendments, including manure and organic sources, in accordance with the State's nutrient management regulations.
12. **OPTIONAL PRACTICES** – To be eligible to receive additional incentive payments for an enrolled field under the Optional Practices described below (that being, NEW practices, not implemented in the past 3 years), to comply with the following:
 - a. Cover Crop following Commodity Wheat or Barley – The Operator agrees to forego the planting of a second cash crop ("double-cropping") after the harvest of a single-species wheat or barley crop. As a condition of being allowed to plant wheat or barley and, thus, not planting a multispecies crop in the fall, the Operator agrees to plant a multispecies cover crop that

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meets the requirements of this program within 10 days of harvest of the wheat or barley. A cover crop must be maintained throughout the summer, fall, and winter months, until the following spring. This may require over-seeding or interseeding in the fall to introduce more winter-hardy species that will provide better fall and winter cover.

b. Integrate Livestock into Cropland – The Operator agrees to rotationally-graze livestock on a well-established cover crop in the fall. At fall certification, the Operator shall submit to the Department a grazing plan that contains at a minimum:

- Maps showing field(s), with field numbers and acreages
- Location of fences and livestock water sources
- Description of the anticipated numbers and type of livestock
- Description of cover crop mix to be grazed
- Narrative indicating that animals will be turned into the field only when the cover crop reaches a specified height, in inches; and taken off when grazed down to a specified height. Refer to the NRCS Prescribed Grazing MD528 Specifications, Table 4, for recommended forage grazing heights.

Grazing may resume in the spring, as long as the stand of cover crop/forage has sufficient regrowth, and the livestock pose no threat to the continued viability of the stand until its termination. All structures necessary for successful grazing and livestock health must be present (e.g., fencing, water source).

c. PSNT (Pre-Sidedress Soil Nitrate Test) – The Operator agrees to test for soil nitrate levels in the spring when corn plants are 6 to 12 inches high, and to follow the nutrient recommendations given with the test results. The PSNT practice is only available for fields that are planted with corn and that have a history of receiving organic nitrogen sources (e.g., animal manure, biosolids, previous legume crop). The Operator shall submit to the Department the test results or documentation of PSNTs.

13. To notify the Department of extenuating circumstances that may prevent the sowing of a fall cover crop by the October 1 planting deadline. If the participant has shown a good faith attempt to establish a cover crop by October 1, and the circumstances preventing it can reasonably be considered beyond the participant's control, then an exception to the deadline may be granted one time per field per contract without being considered a breach of this agreement. A reduced payment of \$75 per acre will be offered on the late planted field(s) if the following is met:

- a. Cover crop must consist of at least two different approved cereal grain species, excluding oats.
- b. Cover crop must be planted between October 2 and November 5
- c. The seed must be incorporated into the soil via a drill, or broadcast with light disking, to ensure good seed to soil contact.
- d. All other requirements in this agreement are met -- conservation tillage, 30% residue, 10-day maximum window between crops, etc.

14. To submit the following documents to the Department annually to continue to be eligible for an annual spring payment:

a. Fall

- i. To notify the Soil Conservation District within **one (1) week** of cover crop planting. If cover crops are planted on farms or fields over the course of several days or weeks, to notify the District accordingly as the cover crop planting for each farm or field is

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completed.

- ii. After all cover crops have been planted, to work with the Soil Conservation District to:
(aa) compile maps showing all fields and acreages that were planted, (bb) provide seed tags or seed tests, and (cc) complete a Fall Certification Form.
- iii. If livestock are grazed in the fall on well-established cover crops, to keep track of fields and acreages for spring reporting.

b. Spring

- i. If livestock are grazed in the spring on cover crop regrowth, to keep track of fields and acreages for spring reporting.
 - ii. To notify the Soil Conservation District within **one (1) week** of planting the spring crop. If crops are planted on farms or fields over the course of several days or weeks, to notify the District accordingly as the planting for each farm or field is completed.
 - iii. When the optional practice of planting a single-species commodity crop of wheat or barley has been exercised, to notify the Soil Conservation District within **one (1) week** of planting the summer cover crop after the wheat or barley harvest.
 - iv. If PSNTs are taken after corn planting, to provide copies of test results to the Department.
 - v. After all spring/summer crops have been planted, and any PSNTs are taken, to work with the Soil Conservation District to complete a Spring Certification Form and a claim for payment.
15. Payments will be made annually, after spring certification, on the enrolled cover crop plus/conservation tillage acres and any optional practices that were completed during the year.
16. To comply with all nutrient management requirements (MD Agric. Code Ann. §§ 8-801 *et seq.* and COMAR 15.20.06-08); and to be in good standing with all other divisions of the Department including, but not limited to, the Conservation Grants Program and the Maryland Agricultural Land Preservation Foundation, as a condition of eligibility for filing a claim for payment under this Agreement.
17. To provide any necessary documentation to the Department or the Soil Conservation District to: (a) verify the applied practices, (b) support the fall and spring certifications, or (c) claim-for-payment.
18. To allow representative(s) of the Department or the District reasonable access to enrolled fields for the purpose of verifying that the practices are being implemented and maintained in accordance with the terms of the Agreement.
19. To notify the Department and the District of any change in agricultural operations which prevents the ability of the Operator to comply with the requirements of the Agreement including, but not limited to: (1) loss of control of rented land, (2) bankruptcy, (3) major change in crops and/or cropping system. Upon notification, the Department will determine whether the Agreement can be amended (e.g., enrollment acres reduced) or if the entire Agreement must be canceled.
20. The Department may deny to pay any claim for payment if the Operator is in violation of any requirement or condition of this Agreement, or if any claim for payment is based on false, misleading or fraudulent information.
21. To pay back the Department any funds it has provided under this Agreement if:
- a. It is determined that the funds were disbursed based on false or misleading information on the part of the Operator, leading to the certification of the practice(s); or

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- b. Cover crops were not planted in three (3) consecutive years on a given field, in which case, a calculation will be made as to the field's eligibility under the traditional Cover Crop program and the difference between payment under Cover Crop Plus+ and the traditional program shall be repaid by the Operator to the Department;
- c. It is determined that at least 30% residue cover was not adequately maintained throughout the duration of the contract.

I have read the above provisions and shall comply with them.

Signature

Date

Print Name

**COVER CROP PLUS+ PROGRAM
APPENDIX**

Approved Cover Crop Species and Seeding Rates¹

Cover Crop	Type	Seeding Rate (lbs/acre) by Planting Method	
		Aerial ² and BCSC ³ and BCCP ⁴	Incorporate ⁵
Canola/Rape	Brassica	10	6
Forage Radish	Brassica	12.5	7.5
Oats	Grass (cereal grain)	120	72
Barley	Grass (cereal grain)	150	90
Cereal Rye	Grass (cereal grain)	140	84
Triticale	Grass (cereal grain)	140	84
Wheat/Spelts	Grass (cereal grain)	150	90
Annual Ryegrass	Grass	25	15
Clover	Legume	25	15
Hairy Vetch	Legume	31.25	20
Winter Peas	Legume	75	45

¹This is a list of acceptable cover crop species suitable for fall planting. For summer cover crop species not listed here (such as warm season grasses/forbs), contact the local soil conservation district for recommendations. The NRCS Cover Crop (MD 340) specifications may be used. In particular, refer to Tables 1 & 2 of that document.

²Aerial = Sow seeds via plane, helicopter, or drone into a standing crop.

³BCSC = Broadcast/Stalk Chop: Broadcast seed followed by stalk chopping (corn or sorghum).

⁴BCCP = Broadcast/Cultipacker: Broadcast seed followed by cultipacking (corn or sorghum).

⁵Incorporate = Drill, or broadcast followed by light tillage.

NOTES

- a) Cover crop must be a mix containing at least 50% grass and 25% legume.
- b) Cover crop must be planted by October 1st. [Limited exceptions to this planting deadline may be granted as described in paragraph 13 of the Agreement. Restrictions apply.]
- c) Cover crop may be grazed by livestock only after it is well-established and has sufficient growth. A grazing plan must be developed for the field(s) enrolled in the Livestock Grazing option. The grazing plans must be written and submitted to the local soil conservation district by the time of fall certification.

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- d) Cover crop may not be terminated more than 10 days before establishing the subsequent spring crop.
- e) Commercial Seed purchased by the Operator shall be tested and properly labeled in accordance with the Maryland Seed Law and Regulations. All seed shall be free of prohibited noxious weed seeds, have a minimum germination rate of 80%, and have no more than 16 restricted noxious weed seeds per pound. The following information shall be on the seed tags submitted to the Soil Conservation District: (1) seed type, (2) state of origin, (3) test date, (4) percent purity, (5) percent germination, and (6) noxious weed count. The seed test shall be no older than 9 months at the time of planting. Commercial seed labeled as “cover crop” shall meet the germination and noxious weed requirements of the program.
- f) If an Operator elects to use home grown seed, a representative sample must be submitted to the Maryland Seed Testing Laboratory to be tested for percent germination and noxious weeds. [Note: PA and DE seed testing laboratories may not be used for this program.] All seed shall be free of prohibited noxious weed seeds, have a minimum germination rate of 80% (with an exception noted in the next paragraph), and have no more than 16 restricted noxious weed seeds per pound. The seed test shall be no older than 9 months at the time of planting. If test results are not obtained by the Operator prior to planting, the Operator assumes the risk that the planted acres may not be eligible for the program.
- g) Home grown seed that does not meet the 80% germination standard, but is between 65% and 79%, may be used. However, these acres will be subject to performance-based spot checks to ensure that plant density standards are met. Guidance on using increased seeding rates for lower germinating seed will be available at the local Soil Conservation District offices.