

Name of Practice: HARVESTABLE COVER CROP
DCR Specifications for No. SL-8H

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's harvestable cover crop best management practice that are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

Tax credits are provided for the establishment of vegetative cover on cropland for protection from raindrop and wind erosion and the reduction of nutrient losses to groundwater. Alternatively, participants certifying that they do not intend to utilize any available tax credits may be eligible for cost-share funds. This cover crop may be harvested after the requirements of this specification have been met.

This practice will provide an incentive to keep a cover on cropland, which will help prevent the loss of nutrients. The primary purpose is to reduce winter rain and wind generated erosion; a secondary purpose is to reduce the leaching of nutrients to ground water. This practice is not intended to subsidize winter crop production.

B. Policies and Specifications

1. Soil loss calculations using the presently approved NRCS calculation methodology shall be documented and included in the participant file for review during spot checks.
2. In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) on all agricultural production acreage contained within the field that this practice will be implemented on. The NMP must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations, (4VAC50-85 et seq.) and the Virginia Nutrient Management Standards and Criteria (revised July 2014), must be prepared and certified by a Virginia certified nutrient management planner, and must be on file with the local District before any cost-share payment is made to the participant. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G).
3. No nutrients from any sources are allowed between the harvesting of the previous crop and March 1 of the next calendar year, except that use of manure (with less than 40 lbs N. per acre tested value) on up to 300 acres is permitted if all of the following conditions are met:
 - i. animals are raised as part of the applicants operation,
 - ii. inadequate manure storage is available for the winter,
 - iii. there are no other vegetated acres available to safely utilize the manure, and
 - iv. manure is applied in accordance with a nutrient management plan prepared by

a Virginia certified nutrient management planner.

4. No nutrients may be applied at planting.
5. Cost-share payments for this practice are limited to no more than **600 acres** per applicant per District per year.
6. If available as set forth in Section C. 1. of this specification, cost-share is provided as a flat rate per acre incentive to encourage proper establishment of vegetative cover and to offset a portion of the cost of seed and the seeding operation.
7. A good stand and good growth of vegetative winter cover must be obtained by December 1 to protect the area from nutrient leaching and runoff in the fall and winter, with the exception of the cities of Chesapeake and Virginia Beach that have late November planting dates. All cover crop plantings must maintain a minimum of 60% cover crop plant material on the enrolled acres through the lifespan of the practice. (Ongoing research in Virginia's coastal plain indicates that a cereal grain crop with 30 plants per square foot of field planted with two tillers per plant (60 tillers per sq. ft.) by December 1 provides the optimum biomass for scavenging excess nitrogen while protecting the soil from erosion)
8. The practice is intended to provide an incentive to keep a vegetative cover on cropland, which will help prevent the loss of nutrients, by reducing surface erosion and absorbing any excess nutrients from the soil. Current research indicates that early planting of winter rye maximizes the cover crops environmental benefit in Virginia. The SL-8H is designed to provide an incentive to farmers to provide year round vegetative cover on as much acreage as possible; it is not intended to subsidize winter crops produced for commodity purposes.
9. Harvesting for hay, haylage, silage, grain, or seed is permitted after March 14. Pasturing consistent with sound agronomic management is permitted as long as 60% cover is maintained through March 14.
10. Land enrolled in this practice may not be enrolled in another state cover crop practice, and may not be converted to or from another cover crop practice.

11. Select one of following species and/or mixtures of species to plant in all soils:

Species	bu./acre
Rye (Tetraploid)	2 bu./acre
Winter Rye (not tetraploid)	2 bu./acre
Winter Barley	2 bu./acre
Winter Hardy Oats	2 bu./acre
Winter Wheat or Triticale	2 bu./acre
Winter Annual ryegrass	20 lbs./acre
Small grain mixtures with	1 bu./acre
a) legume† or	10 lbs./acre
b) Diakon (forage or tillage) radish or	6 lb./ acre
c) canola or rape	4 lbs./acre
Diakon (forage or tillage) Radish	6-8 lbs./acre°
mixture with annual rye grass	10 lbs./acre
Winter-hardy <i>Brassica</i> (canola/rape)	5 -7 lbs./acre°
mixture with annual rye grass	10 lbs./acre

† legume = Crimson Clover, Austrian Winter Pea or Hairy Vetch

°Use higher seeding rates for pure stands and lower seeding rates for mixed species plantings.

Higher seeding rates are recommended for aerial seeding and non-incorporation seeding methods.

12. Seeding of all seed types must be planted by the dates listed below:

Area	Planting Date
Cities of Chesapeake & VA Beach	November 10
Coastal Plain (including the Eastern Shore)	October 25
Piedmont	October 10
Mountain and Valley	October 5

13. All seed must be free of prohibited noxious weed seed, have a minimum germination rate of 80% and have no more than 16 restricted noxious weed seeds per pound. If the grower elects to use home grown seed, it must be tested for purity, germination and noxious weeds prior to seeding by a recognized seed laboratory.
14. In all cases, this practice is subject to NRCS standard 340.

15. The cover crop residue may be left on the field for conservation purposes; or the cover crop or its residue may be tilled under; or the cover crop may be harvested after March 14.

C. Rate(s)

1. For participants who certify in writing that they will not utilize the tax credit set forth above with regard to the implementation of this practice and who are not receiving payment for cover crops from another source on the same acreage, a state cost-share payment rate of **\$20** per acre is available. Districts should not issue cost-share funds if a good stand and good growth of winter cover is not obtained before December 1 and maintained through March 14. , with the exception of the cities of Chesapeake and Virginia Beach that have late November planting dates
2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed \$17,500.00.
3. The cost of fertilizer may not be considered when calculating the participant's tax credit. Participants may receive either a cost-share payment or a tax credit for implementation of this practice but not both on the same acre.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised March, 2018

Certification from an Agricultural Best Management Practice Participant that
a Tax Credit will not be Utilized

I, _____, hereby certify that I will not claim the tax credit which is available for participation in the Harvestable Cover Crop, SL-8H practice, and therefore I am eligible for cost-share funding available under that practice for participants who do not wish to utilize the tax credit. I understand that any cost-share funds received must be returned should I claim the tax credit.

Signed: _____

Date: _____