

Name of Practice: SMALL GRAIN and Mixed COVER CROP for NUTRIENT  
MANAGEMENT and RESIDUE MANAGEMENT  
DCR Specifications for No. SL-8B

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

A. Description and Purpose

Cost-share and tax credit are provided to establish vegetative cover on cropland for protection from erosion and the reduction of nutrient losses to groundwater.

This practice will provide an incentive to keep a cover on cropland, which will help prevent the loss of nutrients. The purpose is to reduce erosion and the leaching of nutrients to ground water. This BMP is designed to utilize the maximum amount of residual nitrogen from previous surface nutrient applications and in the first three feet of the soil profile.

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.

No nutrients from any sources are allowed between the harvesting of the previous crop and March 1 of the next calendar year. No nutrients are allowed at planting.

2. Cost-share is provided as a variable flat rate per acre incentive to encourage proper establishment and to offset a portion of the cost of seed and the seeding operation. This practice may be implemented one time without the participant providing a copy of a current nutrient management plan that is being implemented on all of the appropriate agricultural acres contained within the tract to the SWCD.
  - i. After implementing this practice one time producers must be fully implementing a current nutrient management plan prepared and signed by a Virginia certified nutrient management planner. The plan must include all agricultural production acreage contained within the tract that this BMP will be implemented on and must be on file with the local SWCD.
  - ii. Cost-Share payments shall not be made until a current nutrient management plan is on file with the SWCD.
  - iii. When a nutrient management plan is required to be eligible for cost-share, or tax credit nutrient management plans must be prepared by a certified planner who holds a current Nutrient Management Planner Certificate issued by the Virginia Department of Conservation and Recreation. Nutrient Management Plans must be written to comply with all requirements set forth in the Nutrient Management Training and Certification Regulations, (4 VAC 50-85-10 et

seq.) and the criteria set forth in the Virginia Nutrient Management Standards and Criteria, revised July 2014.

3. A good stand and good growth of winter cover must be obtained in sufficient time to protect the area in the fall and winter. (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)
4. 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.
5. 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-8B is not intended to subsidize crops produced for commodity purposes.
6. Harvesting for hay, haylage, silage, grain, straw or seed is not permitted. Pasturing consistent with sound agronomic management is permitted as long as a 60% cover is maintained through March 14. **In years of drought if producers anticipate a need for additional feed harvest, they should apply for the SL-8H practice as harvest is not allowed under this practice.**
7. Select one of following species and/or mixtures of species to plant in all soils:
 

i.	Rye (Tetraploid).....	2 bu./acre
ii	Winter Rye (not tetraploid) .....	2 bu./acre
iii.	Winter Barley.....	2 bu./acre
iv.	Winter Hardy Oats .....	2 bu./acre
v.	Winter Wheat or Triticale .....	2 bu./acre
vi.	Winter Annual ryegrass .....	20 lbs./acre
vii.	Small grain mixtures .....	1 bu./acre with
	a) legume† .....	10 lbs./acre or,
	b) Diakon (forage or tillage) radish.....	6 lb./ acre or,
	c) canola or rape .....	4 lbs./acre
viii.	Diakon (forage or tillage) Radish .....	6-8 lbs./acre°
	mixture with annual rye grass .....	10 lbs./acre
ix.	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.**

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

	<u>Early Planting date</u>	<u>Standard Planting date</u>
i. Cities of Chesapeake & VA Beach.....	<b>November 10</b>	<b>November 30</b>
ii. Coastal Plain.....	<b>October 25</b>	<b>November 15</b>
iii. Piedmont.....	<b>October 10</b>	<b>November 1</b>
iv. Mountain and Valley.....	<b>October 5</b>	<b>October 25</b>

9. In order to be eligible for cost-share or tax credit, nutrient management plans must be prepared by a certified planner who holds a current Nutrient Management Planner Certificate issued by the Virginia Department of Conservation and Recreation. Nutrient Management Plans must be written to comply with all requirements set forth in the Nutrient Management Training and Certification Regulations, (4 VAC 50-85-10 et seq.) and the criteria set forth in the Virginia Nutrient Management Standards and Criteria, revised July 2014.

10. In all cases, this practice is subject to NRCS standard 340.

11. The cover crop must be killed using mechanical or chemical means or by grazing no earlier than **March 15** and no later than **May 15 for the coastal plain, piedmont, and mountain and valley**. The cover crop residue may be left on the field for conservation purposes; or the cover crop or its residue may be tilled under. The practice will be considered complete once the cover crop has served its purpose and been killed.

C. Rate(s)

1. For participants who certify in writing that they will not utilize the tax credit set forth below 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 **\$15** per acre; is available. Participants may receive either a cost-share payment or a tax credit for implementation of this practice but not both on the same acre.

2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia law 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. A **\$25** per acre early planting bonus is payable for cover crops planted on or before the early planting date specified for their physiographic region. SWCDs 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.
4. A **\$8** per acre bonus payment is available for all applicants that plant pure stands of Rye from the following list on or before either planting date.
  - i. The following list of rye cultivars are approved for the **\$8/acre** bonus payment.

6250 Abruzzi	Abruzzi
Virginia Abruzzi	Early Grazer
Graze Master	Grazer
Pastar	Wheeler
Wintergrazer 70	Winterking

- ii. OR, any other indeterminate growth tetraploid rye cultivar

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and SWCD 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, 2017

Certification from an Agricultural Best Management Practice Implementer 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 Small Grain and Mixed Cover Crop for Nutrient and Residue Management SL-8B practice, and therefore am requesting 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: \_\_\_\_\_