

**2025/2026 Winter Cover Crop
Program Requirements and Agreement**

Applicant (Operator) whose application is approved by the Department agrees to the following terms and conditions to be eligible to participate in the 2025/2026 Winter Cover Crop Program for nutrient management. They shall plant cover crop to reduce the leaching of excess crop nutrients into ground water during the fall and winter months, to immobilize unused nitrogen from the root zone and to reduce erosion. The species selected may also reduce compaction and improve soil health.

The Operator Agrees:

1. A. To plant annual cover crops as provided in Chart 1B below on the Operator's farm in early fall which follows the harvest of corn, sorghum, soybeans, vegetables, hemp, millet, **sunflowers, sod** or tobacco as the immediately preceding crop.
- B. Chart

Approved Cover Crop Varieties	Seeding Rate Per Acre in lbs.		Base Payment for Traditional Cover Crop Only	Statewide Species Planting Period for the Traditional Cover Crop Program ¹	Aerial Planting Deadlines	BCSC and BCCP Planting Deadlines
	Aerial and BCSC and BCCP single species seeding rates	Incorporated ² single species seeding rates				
Oats	120	90	\$35.00	08/01-10/10	10/10	10/10
Barley	150	90	\$35.00	08/01-10/15	10/10	10/15
Rye	140	90	\$50.00	08/01-11/15	10/10	10/15
Triticale	140	90	\$50.00	08/01-11/15	10/10	10/15
Wheat/Spelts	150	90	\$35.00	08/01-11/15	10/10	10/15
Ryegrass	25	24	\$35.00	08/01-10/15	10/10	10/15
Canola/Rape(as part of mix)			\$50.00	08/01-10/10	10/10	10/10
Forage Radish(as part of mix)			\$50.00	08/01-10/10	10/10	10/10
Clover(as part of mix)			\$50.00	08/01-10/10	10/10	10/10
Hairy Vetch(as part of mix)			\$50.00	08/01-10/10	10/10	10/10
Winter Peas(as part of mix)			\$50.00	08/01-10/10	10/10	10/10

1. **Planting may begin on 08/01/2025 for all planting options.**
2. **When planting mixes using one of the incorporated planting methods a minimum of 1 bushel of cereal grain must be used. Please refer to the Cover Crop Mixes Calculator for additional guidance.**
2. To be in strict compliance with all nutrient management requirements. This includes the submission of the current AIR, having a current Nutrient Management Plan and not be subject to any enforcement action by the Department related to non-compliance. The applicant agrees to submit the Nutrient Management Plan Certification form at the time of application. The form shall include the name for which the plan was prepared, the name and signature of the plan writer, the name and signature of the applicant(operator) as well as the name and signature of the landowner if the landowner is applying. The form shall have a beginning and ending date and include the number of acres covered under that plan. **No applications will be accepted without this form.** The applicant agrees to remain in compliance with Nutrient Management for the duration of the project. Failure to do so may result in denial of payment or repayment of funds received.
3. To be in good standing with all other divisions of the Maryland Department of Agriculture (MDA) including but not limited to Maryland Agriculture Water Quality Cost-Share program (MACS) and Maryland Agriculture Land Preservation Foundation (MALPF), as a condition of eligibility for filing a claim for cover crop costs under this Agreement;
4. To complete an application form requesting a minimum of **10 acres** of cover crop cost-share.
5. Acres enrolled in the **EQIP/NRCS** program are **not eligible** for any co-cost or cost share from the Maryland Cover Crop Program. These acres will need to be shown on the Cover Crop application where designated to calculate total AIR acres
6. Except for animal wastes as described in paragraph #7 below, nutrients from any nutrient source shall not be applied by the Operator to any acres enrolled in the 2025/2026 Winter Cover Crop Program before March 1, 2026. However, Potash and Lime may be applied by the Operator to acres enrolled in the cover crop program.
7. Fall Applied Non-Poultry manure is allowed however the following criteria must be met
 - A. **All acres that have received Fall Applied Non-Poultry prior to planting and all acres intended for Fall Applied Non-poultry after planting must be reported at the time of fall certification. All fields receiving Fall Applied Non-poultry must be planted by 10/10. Once a field is designated as having or going to have manure applied they cannot be changed. All**

acres that receive Fall Applied Non-poultry waste will only be eligible for a base payment of \$25/ac and no incentives will apply to these acres. These acres will be paid in full in the fall.

8. If manure utilization was part of the fertilization method for the previous Crop and manure was applied in the spring, the Operator agrees to report these acres to the Department/SCD on the fall/spring certification form. On farm generation is not required for spring utilization of manure. Manure use acreage shall be consistent with and documented on the Annual Implementation Report (AIR) for the operation. **If non-poultry manure was applied in the Spring and Fall, the fall application must be documented on the fall/spring certification form.**
9. All commercial seed purchased by the Operator for cover crops shall be **tested and properly labeled in accordance with Maryland Seed Law and Regulations**. All seed shall 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. The following information shall be on the seed tags being submitted to the Department by the Operator: seed type, state of origin, test date, germination, and noxious weed count and purity results. The seed test shall not be more than **9 months old** at the time of planting. **Commercial seed labeled as “cover crop” shall meet the germination and noxious weed requirements of the program.**
10. If an Operator elects to use home grown seed, a representative sample must be submitted to **Maryland State Seed Testing Laboratory by October 1, 2025**, to be tested for **germination and noxious weeds before it is planted as a cover crop**. **Please be advised: If seed test results are not received by the Operator before planting to ensure seed meets standards of the program, the Operator risks those acres not being eligible for the program.** Please see the Seed Sampling Guidelines Handout for additional information. (Seed testing by Pennsylvania and Delaware Seed Testing Laboratories are **not** permitted for this program.) All seed shall be free of prohibited noxious weed seed, have a minimum germination rate of at least 80%, and have no more than 16 restricted noxious weed seeds per pound. The seed test shall be no more than **9 months old** at the time of planting.
11. To establish the cover crop, the Operator or hired contractor shall use one of the following APPROVED PLANTING METHODS to ensure **good seed to soil contact by using the best planting method possible**:
 - A. **No-till**: utilizing a **no-till drill in undisturbed ground; the seeding rate for this planting method is shown in the chart above labeled incorporated seeding rate.**
 - B. **Conventional**: prepare seedbed using primary tillage (plow, chisel) or secondary tillage (disking) then seeding with a conventional drill; **the seeding rate for this planting method is shown in the chart above labeled incorporated seeding rate.**
 - C. **Broadcasting/Light tillage**: broadcast seeding followed by light disking or other approved methods to ensure seed to soil contact. The date recorded as the planting date for this method is the date of seed incorporation. Approved incorporation methods eligible for this option include vertical tillage equipment and certain light tillage equipment such as a Phillips Harrow. **The seeding rate for this planting method is shown in the chart above labeled incorporated seeding rate. Please contact the local SCD with any questions regarding tillage equipment before planting.**
 - D. **Aerial Seeding**: seeding into a standing approved previous crop (such as corn, soybeans or sorghum) **Drones are now an approved aerial seeding method and must follow the aerial seeding guidelines. All aerial seeding methods must use the aerial seeding rate shown in the chart above and the seeding shall be completed on or before October 10, 2025.** If an Aerial seeding extension were granted by the Secretary beyond the October 10th deadline those acres will be subject to a reduced payment rate.
 - E. **Broadcast/stalk chopping (BCSC)**: broadcasting of seed followed by stalk chopping (corn or sorghum). **The seeding rate for this planting method is the aerial seeding rate shown in the chart above. This planting method must occur on or before October 15, 2025.**
 - F. **Broadcast/cultipacker (BCCP)**: broadcasting of seed followed by a cultipacker (corn or sorghum). **The seeding rate for this planting method is the aerial seeding rate shown in the chart above. This planting method shall occur on or before October 15, 2025.**
12. The cover crop shall be properly maintained by the Operator for the duration of this cover crop Agreement.
13. Grazing or “green chopping” for livestock forage is allowed after the fall crop is well established, but only for the applicant’s own use. **It may not be sold.**
14. **The use of unapproved cover crop mixes is prohibited.** However, applicants can mix Canola/Rape, Forage Radish and/or one of the listed Legume varieties in chart 1B with the following approved cover crop species: Wheat, Rye, Triticale, Oats, Barley and Ryegrass. When **AERIALLY** seeding using 2 species the rate would be 50/50, when using 3 species a 50/25/25 mix can be used with the cereal grain representing the 50. However, if a mix is used the crop with the earliest planting date will determine the planting date deadline. When seeding with an **INCORPORATED** planting method the **cereal grain must be planted at a rate equal to 1 bushel** of that seed, the second species can be seeded at 50% of the recommended rate in

chart 1B. **Please refer to the Cover Crop Mixes Calculator provided by your local SCD when determining seeding rates for eligible cover crop mixes. Mixes that are planted using a legume are required to delay termination until after May 1, 2026.**

15. The Operator is eligible for incentive payments as determined by the Department, the **MACS INCENTIVE OPTION requirements for Traditional Cover Crop** for planting methods and planting dates are as follows:

16. The Operator agrees to certify compliance with the Cover Crop Program as follows:

Traditional Cover Crop Payment Options	No-Till	Conventional	Broadcast w/light tillage/ Minimum Tillage or Vertical Tillage	Aerial	Broadcast Stalk Chop and Broadcast Cultipacker
Base Payment	\$35/ac	\$35/ac	\$35/ac	\$35/ac	\$35/ac
<i>Plant Aerially into standing Corn by 10/10</i>	\$0	\$0	\$0	\$10/ac	\$0
<i>Plant on or before October 10, add:</i>	\$15/ac	\$15/ac	\$15/ac	\$0	\$0
<i>Plant Rye, Triticale or a multi species cover crop add:</i>	\$15/ac	\$15/ac	\$15/ac	\$15/ac	\$15/ac
MAXIMUM PAYMENT AMOUNT	\$65/ac	\$65/ac	\$65/ac	\$60/ac	\$50/ac

A. Within **one week of planting** the cover crop but no later than the dates listed in the chart below, the Operator shall certify planting information with the local Soil Conservation District and that the Operator is meeting all eligibility requirements of the Cover Crop Program.

MACS INCENTIVE FOR 10/10 INCORPORATED PLANTING AND AERIAL BASE DEADLINE	MACS BASE PAYMENT PLANTING DEADLINE 11/05
Certification Deadline 10/17	Certification Deadline 11/12

B. The Operator shall submit the following to the local SCD with the fall certification form:

1. Seed tags for purchased seed and seed tests for home grown seed. **The seed tags need to be signed by the Operator and any seed tests not in the Operator's name shall also be signed.**
2. All Custom planted acres including Aerial and Aerial Ground will require an FSA map designating which fields were planted signed and dated by the applicator.
3. The applicant will also need to provide signed documentation, for all aerial or aerial ground seeded acres, certifying previous crop, crop planted, seeding rate and planting date, a template is available at the local SCD offices.
4. **All certification documentation must be submitted to your local SCD at the conclusion of fall certification but no later than December 1, 2025.**

C. The Operator shall allow SCD personnel or MDA personnel to conduct random Spot-Checks to verify compliance with program guidelines as follows: If there are multiple fields fall certified, SCD personnel will be allowed to check an average of **20% of those fields certified. If the Operator has fields in different planting tiers, 20% of the fields from each tier shall be checked. Refer to the chart below. (Per the CBTF MOU the fall spot check must represent 20% of the total acres planted in each tier).** At least one field for each applicant will be spot checked by SCD personnel. These locations will be determined randomly by the SCD's. SCD's will submit completed forms for receipt by the MACS office no later than **December 19, 2025.**

First Planting Tier to be inspected	All acres planted by 10/10
Second Planting Tier to be inspected	Remaining acres planted by 11/5

1. The Operator agrees after review by the SCD or the MACS office if it is determined that an Operator has failed to provide required documentation as provided in paragraph 15B, then any MACS Cover Crop Agreement(s) for the acreage in question will be cancelled by the Administrator and any claims for payment denied.
2. The Operator agrees that if, as a result of a spot-check, the SCD or MDA determines an Operator has submitted false, misleading or inaccurate information on the Operator's Fall/Spring Certification form, or if the cover crop does not meet program requirements (planting deadline, planting method, crop type, etc.), **all cover crop agreements** for that applicant are null and void and shall be cancelled by the Administrator and any claim for payment denied.
3. An Operator whose agreement has been denied by the Cover Crop Administrator has the right to appeal that decision to the Secretary of Agriculture or their designee. All decisions by the Secretary are final. The applicant may also be

placed on probation for one year. During probation the Operator shall be ineligible to participate in any MACS Program.

D. After all acres have been reported the applicant may request a printout showing acres certified or they can ask that the information be emailed to them. Please verify acres are correct, once the **fall certification process is complete acres cannot be changed**. The fall certification information carries over to the spring. **It is the responsibility of the applicant to verify their acres are complete before signing off on the fall certification.**

E. A partial payment will be issued. This payment will be issued after all fall certified acres have been approved and will be sent to the applicants by end of calendar year 2025. Applicants may opt out of the partial payment and receive full payment in the spring. **However, the spring payments may be delayed until late May to June because Satellite Imagery will be used to determine spring qualifying acres.**

17. The Operator agrees that the following requirements apply to the Operator's cover crop, inspection, the fall/spring certification and the Operator's claim for payment.

- A.** Spring termination may not occur before **March 1, 2026**, unless the operator plans to plant an early season vegetable crop. Termination may occur as early as **February 15, 2026**, when planting early vegetable crops; however, it is expected that the vegetable crop will be planted within 2 weeks of the cover crop being terminated.
- B.** Options for termination by the Operator include green chopping (for on-farm use only), plowing under, rolling/crimping or terminating by using a burn-down herbicide. Grazing of a cover crop does not qualify as an acceptable spring termination method.
- C.** **Planting green may occur prior to May 1, 2026, however the kill down date would be when the cover crop is terminated using herbicide.**
- D.** Within two weeks after the Operator's termination of the cover crop, but no later than **June 1, 2026**, the Operator shall certify to the SCD that the cover crop has been destroyed. The SCD will enter the appropriate information into the Spring Certification section of the application. The final cost-share payment by MDA will be determined by the number of qualified acres which have met all of the program requirements, less any fall payments received and not to exceed the approval amount on the Operator's original application. **The Spring payment will be processed after the final satellite imagery review and by July 1, 2026.**
- E.** The Operator's Spring Certification/Claim submission shall be received by MDA's MACS office no later than **June 10, 2026, or payment may be denied.**
- F.** **At the time of Spring Certification, the Operator shall have submitted the Operator's Annual Implementation Report (AIR) to the MDA Nutrient Management Program for the previous calendar year in order to meet the nutrient management cross-compliance guidelines. No Spring Payment will be issued by MDA until the AIR is complete and on file with MDA.**

Continue to final Signature Page

18. The Operator agrees to all of the following general requirements and conditions of MDA's Cover Crop Program:

- A. I agree to allow reasonable access by Soil Conservation District/MDA staff for Spot Checks for the purpose of verifying program guidelines have been followed including stand establishment; kill down, manure application, etc.
- B. I agree that I will meet and maintain compliance with State nutrient management requirements throughout the life of the cover crop contract as outlined in paragraph 2.
- C. I understand that acres receiving Fall Applied Non-Poultry manure either before or after planting must be reported and are only eligible for a maximum payment of \$25/ac
- D. I have read and understand that the Spring Claim for Payment may be delayed until late May or early June because of the use of satellite imagery as the verification process. I understand that I may request a partial payment in the fall and that payment will be processed by the end of the 2025 calendar year.**
- E. I agree to reimburse MDA for any over payment in the event any partial payment based on the fall certification exceeds the final eligible payment due after spring certification.
- F. I understand that any outstanding charges that I may have incurred with the Maryland Seed Testing Laboratory must be satisfied before final payment of the cover crop contract will be made.
- G. I have read, understand, and agree with policies set forth in the preceding agreement regarding establishing and maintaining the cover crop for the 2025/2026 Winter Cover Crop Program.
- H. I agree that MDA may deny to pay any claims for payment under MDA's Cover Crop Program, if the Operator is in violation of any requirement or condition under the Cover Crop Program, or if any claim for payment is based on false, misleading or fraudulent information.
- I. I understand 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, including notary 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.**
- J. I understand that if my lease is terminated during the contract life of this agreement MDA is not required to issue a payment for the cover crop planted. If I no longer have control over the termination of the cover crops, I may have to repay Maryland Department of Agriculture any funds already received.
- K. I understand that application of non-farm generated Organic nutrients is prohibited on any cover crop acres, those acres must be removed from the agreement and are not eligible for payment.**

Applicants Signature

Date