New or Returning to USDA Programs?

What YOU need to know about wetland compliance

USDA program eligibility requires completing Form AD-1026 for Highly Erodible Land and Wetland Conservation Certification. FSA and NRCS will follow-up based on your answers to questions 7A and 7B.

Q: What happens if I check ‘yes’ to 7A or 7B on the AD-1026 Highly Erodible Land and Wetland Conservation Certification form?
A: FSA will send the form to NRCS who will contact you to review your answers and likely schedule a site visit.

Q: How does NRCS know if I have a wetland on my property?
A: A NRCS Soil Scientist will visit your farm and look for modern or historic wetland indicators, including hydric soils, evidence of a water table, and plants that tolerate water.

Q: If I have (or had) a wetland, how might it affect my USDA program eligibility?
A: Wetlands can be farmed or cropped normally but any additional drainage or clearing may not be allowed. NRCS will explore how modern or historic wetlands were managed before and after December 23, 1985. (The date rules were established by the 1985 Farm Bill). Restrictions will be based on answers to the following questions:

- Were wetlands effectively drained prior to December 23, 1985?
- Were wetlands partially drained prior to December 23, 1985?
- Has any activities, such as land leveling, tile drainage, ditching, or tree and stump removal occurred after December 23, 1985?

Q: What happens if I converted a wetland after December 23, 1985?
A: FSA and NRCS will work closely with you to determine if your eligibility is at risk and, if so, what steps to take to regain eligible status.

Q: What about Highly Erodible Lands?
A: The AD-1026 form is also used to determine if your property needs a Highly Erodible Land (HEL) determination. The need for an HEL determination is based on your answer to question 6. For more information on HEL, contact your USDA Service Center.

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