



Highly Erodible Land and Wetland Conservation Compliance: Don't Risk Your USDA Benefits!

What is Conservation Compliance?

Following the Highly Erodible Land (HEL) and Wetland Conservation provisions is required by the Farm Bill to participate in USDA programs. The provisions are in place to protect highly erodible land from excessive soil erosion and protect wetlands.

The Provisions' objectives are to:

- Reduce soil loss due to wind and water erosion.
- Protect the nation's long-term capability to produce food and fiber.
- Reduce sedimentation and improve water quality.
- Assist in preserving the functions and values of the nation's wetlands.

How Do I Maintain Conservation Compliance and my USDA Program Benefits?

Protect Highly Erodible Land

Find out if any of your fields are designated as highly erodible land. Fields designated as highly erodible must be protected from excessive soil erosion when used to produce agricultural commodities by applying an approved conservation system.

Get a Wetland Determination

- You must certify that crops were not planted on land converted from wetland to cropland between December 23, 1985, and November 28, 1990. If so, you are ineligible for program benefits in any year an agricultural commodity was planted.
- You must also certify that a wetland was not converted to cropland after November 28, 1990. If so, you are ineligible for program benefits until the wetland is restored or recreated in another location.

Not complying with the HEL and Wetland Conservation Provisions may affect USDA program benefits. Additionally, violations could affect your ability to rent or sell the land in the future.

What Activities Could Put Me At Risk?

NRCS evaluates activities that could affect HEL/Wetland Conservation compliance such as:

- Land clearing
- Filling
- Leveling
- Excavation
- Dredging
- Stump removal
- Creating new drainage systems

To initiate the process, visit your local Farm Service Agency (FSA) office to fill out Form AD-1026. FSA will forward the request to NRCS for evaluation.

What USDA Benefits Can Be Affected?

Commodity Programs

- Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish
- Farm Loan Programs
- Farm Storage Loans (HEL only)
- Livestock Forage Program
- Livestock Indemnity Program
- Milk Income Loss Contract Program
- Non-Insured Assistance Program
- Reimbursement of Transportation Costs Payment Program

Conservation Programs

- Agricultural Conservation Easements Program
- Conservation Reserve Program, including SAFE and CREP
- Conservation Stewardship Program
- Environmental Quality Incentives Program
- Regional Conservation Partnership Program
- Watershed Protection and Flood Prevention Act (payments or loan assistance)

Highly Erodible Land: Highly erodible land can erode at an excessive rate due to the soil type. If the maximum annual rate of soil erosion causes a decline in long-term productivity, it is highly erodible. NRCS can make an HEL determination upon request.

Wetlands: Are areas that have soils formed under wet conditions; are water-saturated enough to support plants adapted to growing in wet conditions, and; under normal conditions would support those plants.