

HIGHLY ERODIBLE LAND AND WETLANDS CONSERVATION FACT SHEET



OVERVIEW

Conservation compliance:

- Requires producers to farm according to an approved system or conservation plan if they plant annually tilled crops on highly erodible land; and
- Prohibits producers from planting on converted wetlands or converting wetlands for crop production.

The 2014 Farm Bill requires producers, and any affiliated individuals or entities to participating in conservation programs. Non-compliance may affect the following types of U.S. Department of Agriculture (USDA) program benefits:

- Farm Service Agency (FSA) loans and disaster assistance payments;
- Natural Resources Conservation Service (NRCS) and FSA conservation programs
- Federal crop insurance premium support.

COMPLIANCE WITH HELC AND WC PROVISIONS

Highly erodible land conservation (HELC) and wetland conservation (WC) provisions (known as “conservation compliance”) aim to reduce soil loss on erosion-prone lands and to protect wetlands for the multiple benefits they provide. HELC and WC provisions apply to all land that is considered highly erodible or a wetland, and that is owned or farmed by persons voluntarily participating in USDA programs. To comply with HELC and WC provisions, producers and affiliated persons must fill out and sign form AD-1026 certifying they will not:

- Plant or produce an agricultural commodity on highly erodible land without following an NRCS-approved conservation plan or system;
- Plant or produce an agricultural commodity on a converted wetland; or
- Convert a wetland that makes the production of an agricultural commodity possible.

NRCS AND FSA ROLES IN MAKING DETERMINATIONS

When making HELC and WC compliance determination, NRCS responsibilities include,

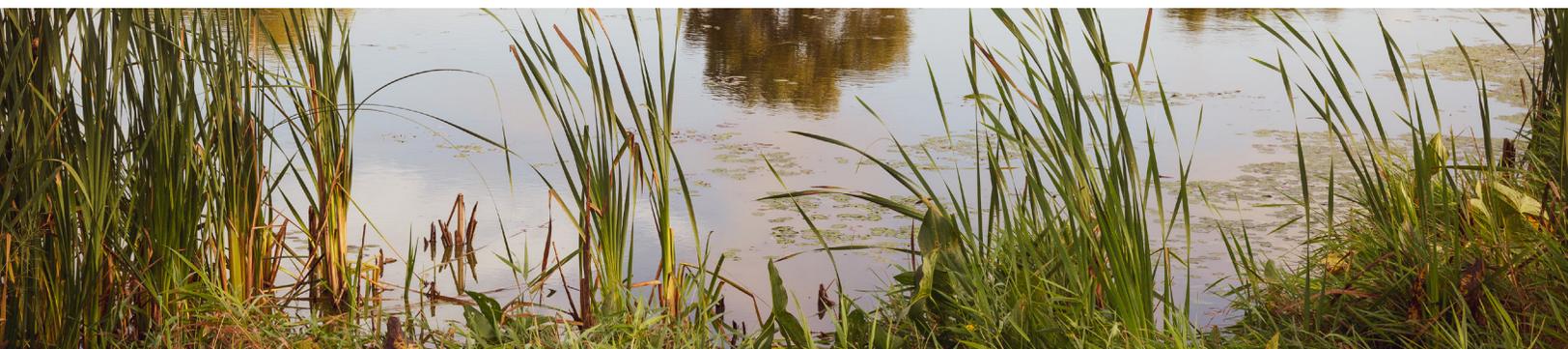
For HELC compliance:

- Making highly erodible land determinations;
- Working with producers to develop conservation plans and systems; and
- When required, determining if highly erodible land is being farmed in accordance with a conservation plan or system approved by NRCS.

For WC compliance:

- Making wetland determinations, including establishing if certain technical exemptions apply, such as prior converted cropland; and
- Determining if a wetland conversion has occurred.

FSA makes eligibility determinations, such as who is ineligible based upon NRCS technical determinations of HELC or WC non-compliance. FSA also acts on requests for the application of certain eligibility exemptions, such as the good faith relief exemption.



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HIGHLY ERODIBLE LAND AND WETLAND IDENTIFICATION

FSA maintains the official USDA records of highly erodible land and wetland determinations. The determinations are recorded within the geographic information system and the automated farm and tract records maintained by FSA; however, it is important to know that determinations may not include all of the producer's land. Producers may obtain aerial imagery of their farms and a printout of their farm and tract records from the FSA office servicing their farm. If a producer is uncertain of the highly erodible land and wetland determinations applicable to their land, the producer should contact the appropriate USDA service center for assistance. For help in locating local USDA service centers, visit <http://offices.usda.gov>.

HELIC AND WC NON-COMPLIANCE

The 2014 Farm Bill:

- Re-established the applicability of HELC and WC provisions to crop insurance financial support; and
- Made no change in HELC and WC implementation with respect to NRCS and FSA programs.

FSA AND NRCS PROGRAMS

Producers who are not in compliance with HELC and WC provisions are not eligible to receive benefits for most programs administered by FSA and NRCS.

HELIC AND WC NON-COMPLIANCE – RISK MANAGEMENT AGENCY (RMA) – POLICIES REINSURED BY FCIC

Producers obtaining federally reinsured crop insurance will not be eligible for any premium support paid by the Federal Crop Insurance Corporation (FCIC) for any policy or plan of insurance if the producer:

- Has not filed an accurately completed AD-1026 with FSA certifying compliance with HELC and WC provisions; or Is not in compliance with HELC and WC provisions. Unless specific exemptions apply, a producer must:
- Be in compliance with an NRCS-approved conservation plan for all highly erodible land;
- Not plant or produce an agricultural commodity on a wetland converted after Feb. 7, 2014; and
- Not have converted a wetland after Feb. 7, 2014, to make possible the production of an agricultural commodity.

FOR MORE INFORMATION

This fact sheet is provided for informational purposes; other restrictions may apply.

For more information on HELC and WC compliance, contact the FSA office or the NRCS office at a local USDA service center at <http://offices.usda.gov>. Additional information can be found online at:

www.fsa.usda.gov/compliance for FSA,

www.nrcs.usda.gov for NRCS and

www.rma.usda.gov for RMA.



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nrcs.usda.gov/MN

