



CONSERVATION

UNITED STATES DEPARTMENT OF AGRICULTURE
FARM SERVICE AGENCY
RISK MANAGEMENT AGENCY
NATURAL RESOURCES CONSERVATION SERVICE

FACT SHEET

July 2014

Highly Erodible Land Conservation and Wetland Conservation Compliance

OVERVIEW

Highly Erodible Land Conservation (HELCS) and Wetland Conservation (WC) provisions aim to reduce soil loss on erosion-prone lands and to provide. HELCS and WC provisions apply to all land owned or farmed that is considered highly erodible or a wetland, unless USDA determines an exemption applies. The regulations covering these provisions are set forth in the Code of Federal Regulations at 7 CFR Part 12.

Producers, and any individual or entity producer, who participate in most programs administered by the Farm Service Agency (FSA), the Natural Resources Conservation Service (NRCS), and the Risk Management Agency (RMA) are required to comply with these provisions. Non-compliance may affect the

activities that have not been previously evaluated by NRCS such as installing, improving or modifying new or existing drainage systems, must

- FSA loans and disaster assistance payments
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- Federal crop insurance premium subsidies

erodible, or 72"qt" o qtg "cetgu"kp"uwej "Lgnf"ctg"kgpvkLgf"cu" soil map units that are highly erodible.

COMPLIANCE WITH HELCS AND WC PROVISIONS

To be in compliance with the HELCS and WC

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

RTqfwegtu"vjcv"qyp"qt"qrgtcvg"ncpf"kgpvkLgf"cu" highly erodible are required to farm such land in accordance with a conservation plan or system approved by NRCS that substantially reduces soil loss. Producers proposing to crop highly erodible land that has no crop history prior to Dec. 23, 1985, (known as Sodbusting) are required to farm such land in accordance with a conservation plan or system that provides for no substantial increase in soil erosion. A conservation plan or system to reduce soil erosion is not required for land that is determined not to be highly erodible.

Producers planning to remove fence rows, convert

WETLAND

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- Has a predominance of hydric soils (wet soils);
- Is inundated or saturated by surface or ground-

beginning with the year in which the conversion occurred and continuing for subsequent years, unless the converted wetland is restored or mitigated before January 1 of the subsequent year.

REGAINING ELIGIBILITY FOR

HELIC AND WC NON-COMPLIANCE – RISK MANAGEMENT AGENCY – POLICIES REINSURED BY THE FEDERAL CROP INSURANCE CORPORATION

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

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AD-1026 with FSA certifying compliance with HELC and WC provisions; or
- É" Is not in compliance with HELC and WC
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- É" Be in compliance with a NRCS-approved conservation plan for all highly erodible land;
- É" Not plant or produce an agricultural commodity on a wetland converted after Feb. 7, 2014; and
- É" Not have converted a wetland making the production of an agricultural commodity possible on such converted wetland after Feb. 7, 2014.

A producer is ineligible for any premium subsidy paid by FCIC on all policies and plans of insurance for the reinsurance year(s) (July 1 – Lwpg"52+"hqŋŋy kpi"vjg"tgkpuwtcpeg" {gct"qh"c"Łpcŋ" determination of a violation of HELC or WC provisions, including all administrative appeals, wpŋguu"ur gekŁe"gzg o rvkqpu"cr rŋ {0""Hwtvjgt."c" producer will be ineligible for any premium subsidy paid by FCIC on all policies and plans of insurance for the reinsurance year if they do not jcxg"c"eq o rŋvgf"ht o "CF/3248"qp"Łng"ykvj "HUC" certifying compliance on or before June 1 prior to the beginning of the subsequent reinsurance year (July 1), unless otherwise exempted.