



Natural Resources Conservation Service
6013 Lakeside Blvd.
Indianapolis, IN 46278

June 26, 2008

SUBJECT: CPA – Highly Erodible Land Conservation Compliance Plan Variance

TO: All NRCS Employees

File Code: 180-0

The catastrophic rainfall and flooding events in 2008 have left many Indiana fields in a state of demolition. Upland fields may be riddled with gullies, rills, tile holes, and surface crust. Even fields under well managed conservation cropping systems may have extensive rills and ephemeral gullies that occurred along planting tracks, planter markers, nitrogen knives or other field operations.

Many of these fields are classified as Highly Erodible Land (HEL) and the damages are so severe and widely affected that the entire field will need to be treated by grading gullies and severe rills, and leveling the remaining areas with a field cultivator or finishing tool to facilitate replanting.

In response to this need, NRCS in Indiana will offer a temporary conservation compliance variance for any replanted fields in counties federally declared and recognized by FSA due to excessive rainfall and flooding for 2008, including contiguous counties - <http://www.in.nrcs.usda.gov/programs/EWP/EWPhomepage.html>.

Details that producers must follow to adhere to this variance include:

1. This variance applies only to fields needing replanted or repair work completed post-harvest in 2008 **due to excessive rain** prior to the 2009 crop year.
2. Producers must maintain documentation and make it available to NRCS during any future Compliance Status Review. Documentation should include:
 - a. The dates of, the cause of, and the extent of damages to their fields
 - b. Spring/Summer repair work dates and repair methods
 - c. Replant dates and site preparation methods
 - d. Dates and degree of additional repair work completed post-harvest in 2008.
3. The guidance in the attached “Indiana NRCS Guidesheet –HEL Compliance, 2008 Flood Reclamation” must be followed for the post-harvest and spring 2009 cropping activities.

If you have any questions relating to HEL policy, please contact Teresah Caire, ASTC - Programs at (317) 290-3200, ext. 320, or Barry Fisher, State Agronomist at (317) 290-3200, ext. 350.

/s/

JANE E. HARDISTY
State Conservationist

Enclosure