



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

What activities could put me at risk?

Activities that could affect HEL/Wetland compliance need to be evaluated by NRCS. Examples are:

- **Land clearing, filling, leveling, excavation, dredging, stump removal, or creating new drainage systems.**

To initiate the process visit your local Farm Service Agency (FSA) office, fill out an AD-1026 form. FSA will forward the request to NRCS for evaluation. **Find local USDA Service Center locations at: <http://offices.sc.egov.usda.gov/locator/app>**

What is Conservation Compliance?

The **Highly Erodible Land and Wetland Conservation Compliance** provisions are required in the Farm Bill to participate in USDA programs. The purpose of these provisions is to protect highly erodible land from excessive soil erosion and protect wetlands.

Provision Objectives

- 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 fields are designated as Highly Erodible Land (HEL). 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

Participants must certify that crops have not been planted on land that was converted from a wetland to cropland between December 23, 1985 and November 28, 1990 (if so, they are ineligible for program benefits in any year an ag commodity was planted). Participants must also certify that a wetland has not been converted to cropland after November 28, 1990 (if so, they are ineligible for program benefits until the wetland is restored or re-created in another location).



USDA Benefits That Can Be Affected

Non-compliance with the HEL/Wetland Conversion provisions may affect the following USDA program benefits. Violations could affect your ability to rent or sell the land in the future.

Commodity Programs:

- Direct and Counter Cyclical Program
- Deficiency Payments
- Consolidated Farm and Rural Development Act farm operating loans
- Dairy Marketing Assistance Program
- Non-insured Assisted Program (fruit and vegetable producers)
- Emergency Feed Program
- Wool and Mohair Programs
- Farm Storage Loans (HEL only)
- Crop Disaster Program

Conservation Programs:

- Conservation Reserve Program
- Conservation Security Program & Conservation Stewardship Program
- Environmental Quality Incentives Program
- Watershed Protection and Flood Prevention Act payments or loan assistance
- Farm & Ranch Lands Protection Program
- Grassland Reserve Program
- Wetlands Reserve Program
- Wildlife Habitat Incentive Program

Variances and exemptions to the provisions may be granted under some conditions.

Highly Erodible Land (HEL): A field will be considered highly erodible if either one-third or more of the field is highly erodible, or if the highly erodible land in the field totals 50 acres or more. NRCS can make an HEL determination upon request.

Wetlands: Land with all three of the following characteristics: 1) primarily wet soils, 2) supportive of wetland plants, and 3) possessing wetland characteristics. NRCS can make a wetlands determination upon request.