

HEL Program

1. Introduction to Program: Purpose, Goals and Objectives:

The Food Security Act of 1985, as amended, requires that persons receiving USDA benefits comply with Highly Erodible (HEL) and Sodbuster provisions of the Act. All persons that produce agriculture commodities must protect all cropland classified as being highly erodible from excessive erosion. Agency policy regarding this law is included in the National Food Security Act Manual (NFSAM). The current regulations regarding Highly Erodible Land Conservation is included in 7 CFR 12, an Interim-final rule published in the Federal Register on September 6, 1996.

HEL program information can be accessed at the following web site:

<http://www.nrcs.usda.gov/programs/helc/HELFact1.html> Additional information on HEL can be found in the National Food Security Act Manual (NFSAM), Third Edition, Amendment 2, Part 511.

2. Fact Sheets:

None Available

3. Application process: Step-by-step with timeframes for actions

1. Producer completes the AD-1026 at FSA
2. If the producer answers yes to questions 8, 9, or 10 on the AD-1026, NRCS must complete a Highly Erodible Land (HEL) determination.
3. Complete the NRCS-CPA-026E indicating the results of the HEL determination.
4. NRCS must send the producer a Preliminary Technical Determination Letter and a copy of the NRCS-CPA-026E.
5. The Preliminary Technical Determination Letter becomes final 30 days from the date of the letter unless the producer requests any of the following options:
 - A field visit made by NRCS
 - The right to review the case file records
 - Mediation
 - The right to file an appeal with the FSA County Committee when the 30 day final decision deadline is reached.

Note: If the producer chooses the right to review the case file records, that will not extend the final determination date. If a field visit is made, a final determination will be issued to the producer within 30 days following the field visit. If the mediation process is used, a final determination will be issued to the producer within 30 days following the completion of mediation.

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6. Forms Required:

The following forms are attached:

AD-1026

NRCS-CPA-026E

Preliminary Technical Determination Letter

7. Indiana contact information:

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