



United States  
Department of  
Agriculture

Farmers  
Home  
Administration

Washington  
D.C.  
20250

FmHA AN No. 1570 (1955)

March 30, 1987

SUBJECT: Conservation Plans for FmHA Inventory Property

TO: All State Directors, Farmer Program Chiefs,  
State Environmental Coordinators, District  
Directors, County Supervisors, and State  
Directors-at-Large, FmHA

PURPOSE/INTENDED OUTCOME

This Administrative Notice (AN) is intended to provide guidance to field offices on the information needed in the conservation plans for FmHA inventory farms.

COMPARISON WITH PREVIOUS AN

This AN replaces FmHA AN No. 1435(1955) dated July 3, 1986.

IMPLEMENTATION RESPONSIBILITIES

A. Securing the technical assistance of the Soil Conservation Service (SCS). FmHA Instruction 1955-B, Section 1955.64(a)(3), requires FmHA to secure the service of the SCS on all FmHA inventory farms. Consequently, when FmHA receives a farm into inventory, the County Supervisor, will complete Form AD-1026, "Highly Erodible Land and Wetland Conservation Certification," in accordance with Attachment 1 of this AN, and transmit it to the appropriate Agricultural Stabilization and Conservation Service (ASCS) County Office.

The Form AD-1026 is being used in order to provide for consistency in record keeping between ASCS and SCS. The Form AD-1026 will be transmitted to SCS by ASCS along with aerial photos of the farm property. Following SCS's review of Form AD-1026, the SCS will provide FmHA with Form SCS-CPA-26, "Highly Erodible Land and Wetland Conservation Determination," as well as the following information:

EXPIRATION DATE: March 31, 1988

FILING INSTRUCTIONS:  
Preceding FmHA  
Instruction 1955-B



Farmers Home Administration is an Equal Opportunity Lender.  
Complaints of discrimination should be sent to:  
Secretary of Agriculture, Washington, D.C. 20250

1. Identification of all highly erodible land, wetland, converted wetland and flood prone areas with the latter based on available information.

2. For land that FmHA will not immediately lease or sell, SCS will provide the County Supervisor with written advice on practices needed to protect and preserve the land and water resources of the farm. Such practices may involve the use of appropriate seedings.

3. When a prospective lessee or buyer is identified, a conservation plan for the highly erodible land and wetlands will be developed with the prospective lessee or buyer. For wetlands, the conservation plan will address methods of protection and enhancement.

This information and material will be used by the County Supervisor in the instances indicated below.

B. Inventory farms that FmHA will not lease or sell during the crop year. The County Supervisor will consult with SCS in the manner indicated in paragraph A above and obtain the information specified in items 1 and 2 of that paragraph. The County Supervisor will determine what conservation practices are needed to protect and preserve the land and water resources of the farm while it is idle. Conservation practices, if needed, will be followed irrespective as to whether or not highly erodible land or wetlands are present on the farm. If differences of opinion exist between SCS and FmHA regarding certain practices, these will be resolved in the manner indicated in Section 1955.137(c)(2) of FmHA Instruction 1955-C.

C. Farms That FmHA Will Lease. Before a farm can be leased, Form SCS-CPA-26 must be obtained by the County Supervisor if a completed form does not already exist. If highly erodible land, wetland or converted wetland, or flood prone areas exist on the farm, the prospective lessee will be informed by FmHA of its presence and location along with the USDA restrictions regarding its use as set out in FmHA Instruction 1940-G, Exhibit M, and Section 1955.137 of FmHA Instruction 1955-C.

If there is highly erodible land or wetland or converted wetland on the farm, the prospective lessee will develop a conservation plan with assistance from SCS and approved by SCS and FmHA before the farm can be leased. The conservation plan and any necessary restrictions will be made a part of the lease.

D. Farms That FmHA Will Sell. Before a farm can be sold, the same requirements must be met as discussed immediately above in paragraph C for a lease; i.e., County Supervisor obtains completed Form SCS-CPA-26, prospective buyers informed of the presence of highly erodible land, wetland or converted wetland, or flood prone areas as well as their associated restrictions, and a conservation plan developed by the prospective buyer if highly erodible land, wetland, or converted wetland exist on the farm. In those instances in which FmHA has a buyer for a farm and a required conservation plan has not been developed, the County Supervisor may proceed with the sale in accordance with FmHA Instruction 1955-C, Section 1955.137(c)(3). The advertisement of the property will require a conservation plan to be developed as a condition of the sale.

If at anytime after the sale the buyer decides to change the farming system on the farm, the conservation plan may be revised if approved by SCS and, if a credit sale, by FmHA also. Promissory notes and mortgages will contain the addendums required by Exhibit M of FmHA Instruction 1940-G, if a credit sale. For both cash and credit sales, the required restrictions on wetlands and flood plains will be incorporated into the deed for the farm.

The contents of this AN are being provided by SCS and ASCS to their field offices. Please work closely with them. Questions should be directed to Louis Carter, FREPD, at 475-4014.



VANCE L. CLARK  
Administrator

Attachment

Instructions For Completing  
Form AD-1026, "Highly Erodible Land  
and Wetland Conservation Certification  
For FmHA Inventory Property

Complete the numbered blocks of the Form as indicated below. A sample, completed Form for inventory property is included on the reverse of this page.

- Block 1 - State that the property is an FmHA inventory farm. Include the FmHA County Office address. Include the address of the farm property and the name of the former owner.
- Block 2 - Leave blank.
- Block 3 - Present year.
- Block 4 - Completed by ASCS.
- Block 5 - List county(s) - completed by FmHA.
- Blocks 6, 7, 8 - Cross through and not use.
- Block 9 - Cross out word Producer, and County Supervisor signs as County Supervisor.
- Block 10 - Complete by checking 10a in all cases.
- Block 11 - Completed by ASCS.
- Block 12 - Completed by ASCS.
- Block 13 - Cross through and not use.
- Block 14 - State that it is FmHA Inventory Property.

1570(1955)

AD-1026  
(07-86)

UNITED STATES DEPARTMENT OF AGRICULTURE  
**HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION CERTIFICATION**

NOTE

The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a). The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and regulations promulgated under the Act (7CFR Part 12). The information will be used to determine eligibility for program benefits and other financial assistance administered by USDA agencies. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court magistrate or administrative tribunal. Furnishing the Social Security Number is voluntary. Furnishing the other requested information is voluntary; however, failure to furnish the correct, complete information will result in a determination of ineligibility for certain program benefits and other financial assistance administered by USDA agencies. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to information provided by the producer on this form.

**PART A - PRODUCER'S INTENTIONS FOR USE OF LAND**

1. NAME AND ADDRESS OF PRODUCER  FmHA Inventory Property Farmers Home Administration 221 South Main Street Anytown, USA 00000  Mr. John Doe (Former Owner) Rural Route 2 Anytown, USA 00000	2. SOCIAL SECURITY NUMBER (or tax ID number)		3. CROP YEAR 1987
	FARM NUMBER(S) 4	COUNTY(IES) WHERE LOCATED 5 Any County	

6. During either the crop year entered in item 3 above, or the term of a requested USDA loan, will an agricultural commodity be produced on fields of the farm(s) that were not used for the production of any agricultural commodity (see instructions) or not enrolled in an USDA set-aside or diversion program during any crop year 1981 through 1985? If "yes," list the farm and field numbers.	Yes	No
7. Will an agricultural commodity be produced on any land on the farm(s) listed above that was a wet area but was improved, drained, or modified, or converted after December 23, 1985? If "yes," list the farm and field numbers.		
8. Do you plan to convert any land including wet areas for the production of an agricultural commodity this year or during the term of a requested USDA loan or other program benefit? If "yes," list the farm and field numbers.		

I hereby certify that the above information is true and correct to the best of my knowledge and belief.

9. SIGNATURE OF PRODUCER: County Supervisor

DATE:

**PART B - REFERRAL TO SCS**

10. Based on county office information, a SCS determination is:	CHECK
a. Needed prior to the producer's certification in Part C.	X
b. Needed before January 1, 1990.	

NOTE: If the producer answers "No" to Part A, items 6, 7, and 8, and the agency so agrees, the producer may complete the certification in Part C without a SCS determination. However, beginning January 1, 1990, or 2 years after a soil survey is completed, the producer must be actively applying an approved conservation plan on all highly erodible fields. Therefore, a SCS determination regarding the existence of any highly erodible fields on the farm(s) listed above is necessary before January 1, 1990.

11. DATE REFERRED TO SCS FOR DETERMINATION	12. SIGNATURE OF AGENCY REPRESENTATIVE	DATE

**PART C - USE CERTIFICATION (Completed by producer)**

13. As a condition of eligibility for any USDA loans or other program benefits, I hereby certify that:

a. I will not produce an agricultural commodity on highly erodible fields (except fields that, in any crop year between 1981 and 1985, were used to produce any agricultural commodity or were enrolled in a USDA set-aside or diversion program); and I will not use the proceeds of any FmHA loan, insured or guaranteed, received after December 23, 1985, for a purpose that will contribute to production of an agricultural commodity on these highly erodible fields, as determined by SCS, unless an approved conservation system has been fully applied.

b. I will not produce an agricultural commodity on converted wetlands or use proceeds from any FmHA farm loan, insured or guaranteed, received after December 23, 1985, for a purpose that will contribute to the conversion of a wetland to produce an agricultural commodity, as determined by SCS.

c. I will not convert wetlands or bring new lands into production for the purpose of producing an agricultural commodity without first consulting all USDA agencies with which (1) I have a current contract or loan agreement, insured or guaranteed, or (2) I have a crop insurance contract issued by or reinsured by the Federal Crop Insurance Corporation.

d. USDA representatives may enter upon my land for the purpose of confirming any of the above statements.

SIGNATURE OF PRODUCER: \_\_\_\_\_ DATE: \_\_\_\_\_

14. REMARKS  
FmHA Inventory Property