

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency  
Washington, DC 20250

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**Highly Erodible Land Conservation and  
Wetland Conservation Provisions  
6-CP (Revision 4)**

**Amendment 3**

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**Approved by:** Deputy Administrator, Farm Programs



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**Amendment Transmittal**

**A Background**

The Agricultural Act of 2014 amended the Food Security Act of 1985 to apply HELC and WC provisions to any premium subsidy paid by FCIC for any policy or plan of insurance. The amendments made to HELC and WC provisions by the Agricultural Act of 2014 do **not** apply to any payment or benefit under FSA or NRCS programs. However, AD-1026 and AD-1026 Appendix have been revised to reflect the applicability of HELC and WC provisions to the subsidized portion of insurance premium.

**Note:** Additional procedure and revised forms will be provided at a later date.

**B Reasons for Amendment**

Subparagraphs 201 B, 301 C and D, 302 C, 303 E, 305 A, 328 C and D, 356 B and C, 357 B and C, 505 C, and 702 C and G have been amended to update references to the revised AD-1026.

Paragraph 306 has been amended to provide:

- an example of the revised AD-1026
- updated instructions for completing AD-1026.

Paragraph 328 has been amended to provide an example of the revised AD-1026 Appendix.

Paragraph 356 has been amended because the question has been removed from AD-1026.

## Amendment Transmittal (Continued)

### C Form Changes

AD-1026 has been revised to make it more readable, ask only 4 questions instead of the previous 8 questions, and include provisions relating to crop insurance policies reinsured by FCIC.

AD-1026 Appendix has been significantly expanded to include more information, including information on compliance provisions for crop insurance policies reinsured by FCIC.

**Note:** The revised AD-1026 and AD-1026 Appendix are to be used for any new filing upon receipt of this amendment. It is **not** necessary for producers with an existing AD-1026 on file to file a new AD-1026 unless there are changes to the answers on AD-1026 or a violation occurs.

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200 Overview of HELC Provisions (Continued)

C Summary of HELC Exemptions or Relief

The following table provides paragraph references for various exemptions or relief applicable to HELC provisions.

Exemption or Relief	Paragraph References
Undue economic hardship	204
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Good faith relief	616, 621-623

201 Redefining Fields With Previous NRCS HEL Determinations

A Fields Requiring an NRCS Redetermination

Changes to the field after NRCS has made previous HEL/NHEL determinations shall be forwarded to NRCS for a redetermination using AD-1026 when **all** of the following apply.

- The producer has indicated on AD-1026 that an agricultural commodity as defined in subparagraph 200 B was or will be planted on the field for the year of requested program benefits.
- The field boundary has physically changed.

**Examples:** Clearing of surrounding land to increase the field size, not simply the removal of a fence or tree line or any affects of better measurements because of the use of digital photography.

Reduction in a field size because of land taken out of agricultural production.

Combination/division of previously delineated fields.

Either a field:

- with an NHEL designation is combined with any other field or area
- with a HEL designation is combined with an area without an NRCS determination
- is reduced in size (field division or land taken out of agricultural production).

## 201 Redefining Fields With Previous NRCS HEL Determinations (Continued)

### B Fields Not Requiring an NRCS Redetermination

Changes in field boundaries that do **not** meet the criteria in subparagraph A for an NRCS redetermination shall either:

- be labeled “HEL” when multiple fields are combined and all of the fields were previously determined to be HEL

**Note:** Fields that were previously determined to be HEL remain HEL when combined with another field.

- be labeled “no determination”.

**Note:** Areas labeled as “no determination” in the automated tract file will require a new NRCS determination if the producer intends to plant a commodity crop on the \*--field. A referral to NRCS is required with a “Yes” response on AD-1026, Part B, item 1.--\*

### C Other Changes That Do Not Require a HEL Redetermination

HEL redeterminations by NRCS are **not** required when any of the following apply.

- The FSA acreage measurement is corrected and there has been no change to the physical boundaries of the field, such as a change in acreage because of GIS measurement. The original NRCS determination shall be retained.
- Changes to a farming operation resulting in a reconstitution that has no impact on previous HEL/NHEL determinations or producer eligibility.

**Examples:** Reconstitutions resulting from the sale or loss of a rented tract.

Reconstitutions involving the purchase or additional rental of tracts with previous HEL/NHEL determinations.

### D Producer Requests for Redeterminations

The producer may make a request directly to NRCS to do either of the following:

- validate an existing HEL determination of the field if there is reason to believe the designation resulting from a field combination or division is **not** correct
- redefine a field to delineate that portion that is substantially NHEL, from that field for different management uses.

**301 AD-1026 Filing Requirements (Continued)****C When to File AD-1026**

There is no specific deadline for filing AD-1026 unless otherwise provided in specific program procedure. However, before a producer can be considered eligible for benefits subject to the provisions of this handbook, the producer and producer's affiliated persons, if applicable, must have filed and certified compliance with HELC and WC provisions.

\*--AD-1026 is considered filed and certified when AD-1026, Part C, item 1A is signed.--\*

**D AD-1026 Certifications for Programs Covering Past Years**

In certain cases, a producer may apply for program benefits that are applicable to previous program or crop years.

If AD-1026 was **not** on file for the year of eligibility, the certification of compliance must be completed before issuing program payments. The County Office shall instruct the producer to complete AD-1026 for the year of eligibility by:

- \*--entering the applicable program or crop year in Part A, item 3

**Example:** If a producer is completing an application in 2014 for program benefits associated with 2012, "2012" shall be entered in Part A, item 3.

- answering the questions on AD-1026 about the year indicated in Part A, item 3.--\*

**E Updating AD-1026 Field in Eligibility File**

County Offices shall update the AD-1026 field in the web-based eligibility system according to 3-PL (Rev. 1).

**F Joint Venture Without ID Number**

For a joint venture requesting program benefits that does **not** have an IRS employer ID number, the members of the joint venture shall be considered the producers requesting benefits.

AD-1026 must be filed by each member of the joint venture that has a farming interest. Affiliated persons of the members with farming interests must also file AD-1026. Since the AD-1026 member certification statement "includes all land in which [the member has] or will have an interest", there is no need to obtain a separate AD-1026 from the joint venture.

**301 AD-1026 Filing Requirements (Continued)**

**G Revocable Trust Without Employer ID Number**

For a revocable trust requesting program benefits that does **not** have an IRS employer ID number, only the grantor shall be required to file AD-1026. There is no need to obtain a separate AD-1026 for the trust.

Affiliated persons of the grantor must also file AD-1026 if they have farming interests.

Since the AD-1026 certification statement by the grantor “includes all land in which [the grantor has] or will have an interest,” there is no need to obtain a separate AD-1026 from the trust.

**H Updating Tract Records**

Tract records, including the recording of NRCS HEL and wetland determinations, must be updated in the producer’s administrative County Office as determined by 3-CM.

For multi-county producers, the administrative County Office for a particular tract may be different than the producer’s recording County Office.

**I Responsibility of Producer Requesting Benefits**

The producer requesting benefits is responsible for providing the County Office, in which AD-1026 is filed, a copy of AD-1026 filed by their affiliated persons in their respective County Offices. County Offices may be able to assist the producer with that requirement by requesting a mailed or FAXed copy from the affiliated persons’ recording County Offices.

**302 Affiliated Persons – Determination and AD-1026 Requirement (Continued)****C AD-1026 Filing Requirement for Affiliated Persons**

All affiliated persons with farming interests must file AD-1026 before the producer requesting benefits shall be considered eligible.

**Note:** Affiliated persons are considered as having farming interests if the affiliated person is listed as owner, operator, tenant, or sharecropper on any farm or undeveloped land.

**Exception:** A spouse or minor child of the person requesting benefits shall **not** be required to file AD-1026, if both of the following apply for the spouse or minor child:

- does **not** have a farming interest as an individual or member of a joint operation separate from the person requesting benefits
- does **not** receive program benefits under his or her individual ID number.

**Example:** The husband files AD-1026. The wife's only farming interest separate from the husband is as a beneficiary of a trust. The trust shall file AD-1026. The wife is **not** required to be listed on the husband's AD-1026, Part A, item 4 and shall **not** be required to file AD-1026 as an individual, if she does **not** receive benefits under her individual ID number.

**D Affiliated Persons of Multi-County Producers**

Affiliated persons of a multi-county producer shall file AD-1026 in the FSA recording County Office designated for the affiliated person. Only the affiliated persons with farming interests are required to complete AD-1026.

### 303 Certification of Compliance and Eligibility for Payment

#### A When Producer May Sign

The producer may sign AD-1026 after:

- all questions on AD-1026 have been answered

**Note:** Multi-county producers shall complete AD-1026 in the recording County Office.

- AD-1026 Appendix has been given to the producer.

**Exception:** If a producer is declared ineligible for benefits because of a COC or NRCS determination, then follow instructions in Part 6.

#### B Updating Web-Based Eligibility System

Follow instructions in 3-PL (Rev. 1) to update the web-based eligibility system.

#### C Eligibility for Payment

Provided all other eligibility requirements are met, County Offices may issue program payments to the producer before all NRCS determinations are completed if the producer certifies compliance with HELC and WC provisions.

#### D Withholding Program Payments

Some producers may be uncertain as to their compliance with HELC and WC provisions. In these cases, the producer may request in writing that the County Office **not** issue program payments pending necessary NRCS determinations.

The County Office shall **not** otherwise delay issuing program payments without an FSA determination of ineligibility based upon an NRCS-completed FSA-569.

#### E Continuous AD-1026 Certification

Certification on AD-1026 is a continuous certification that will be effective for the current \*--year entered in Part A, item 3 and subsequent years for which benefits subject to HELC--\* and WC compliance are requested, unless either of the following occurs:

- there are changes or activities that affect compliance with HELC or WC provisions, including refusal to provide access to determine compliance
- the producer submits a written request that AD-1026 be withdrawn.

If the previously filed AD-1026 is no longer effective, a new AD-1026 must be filed to regain eligibility. See subparagraph 305 A for situations that require a new AD-1026.

**304 Distributing Copies of AD-1026****A Producer Copies**

Provide the producer with a copy of AD-1026 after AD-1026 has been signed.

Attach AD-1026 Appendix to the producer's AD-1026.

**B Review Affiliated Persons' Copies**

Ensure that all AD-1026's for the affiliated persons of the producer requesting benefits include either of the following:

- producer's signature on AD-1026
- statement of ineligibility on AD-1026.

**305 When New AD-1026 Is Required To Be Filed****A Requirements for New AD-1026**

The producer shall file a new AD-1026 to replace a previously filed AD-1026 when any of the following changes are made to the producer's records after AD-1026 was signed:

- \*--a "yes" answer applies for the question in AD-1026, Part B, item 1 or 2 for activities--\* not previously reported on AD-1026 and technical determinations for these activities were **not** completed by NRCS
- any land that does **not** have a determination is broken out on farms or tracts associated with the producer
- the producer was determined ineligible because of a violation of HELC or WC provisions or a refusal to provide access to determine compliance.

**B Updating Web-Based Eligibility System**

If a producer is required to file a new AD-1026, County Offices shall update the AD-1026 determination information in the web-based eligibility system according to 3-PL (Rev. 1) to indicate "Not Filed" until a new AD-1026 is filed. The previously filed AD-1026 is no longer valid.

306 Completing and Obtaining AD-1026

A Example of AD-1026, Page 1

The following is an example of AD-1026, page 1.

\*--

This form is available electronically.		(See Page 2 for Privacy Act and Paperwork Reduction Act Statements)		
<b>AD-1026</b> (06-30-14)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		
<b>HIGHLY ERODIBLE LAND CONSERVATION (HELIC) AND WETLAND CONSERVATION (WC) CERTIFICATION</b>				
<b>PART A – BASIC INFORMATION</b>				
1. Name of Producer XYZ, Inc.		2. Tax Identification Number (Last 4 digits) XXXX	3. Crop Year 2014	
4. Names of affiliated persons with farming interests (Use Part D if additional space is needed. Enter "None," if applicable). <b>Note:</b> See the AD-1026 Appendix for an explanation of affiliated persons. John Person, Jane Person				
5. Check this box if the statement applies; otherwise continue to Part B. <input type="checkbox"/> Neither the producer in Part A, nor any affiliated person, has an interest in land that produces or could produce an agricultural commodity. <b>Note:</b> If this box is checked, go to Part C and sign and date.				
<b>PART B - HELC/WC COMPLIANCE QUESTIONS</b>				
<b>Note:</b> A "YES" answer authorizes FSA to refer this AD-1026 to NRCS. Producer must provide additional information in Part D. If "YES" is checked to Item 2C, NRCS does not have to conduct a certified wetland determination.			<b>YES</b>	<b>NO</b>
1. During the crop year entered in Part A, or the term of a requested USDA loan, did or will the producer in Part A plant or produce an agricultural commodity on land for which an HEL determination has not been made?				X
2. Has anyone performed (since December 23, 1985), or will anyone perform any activities to:				X
A. Create new drainage systems, or conduct land leveling, filing, dredging, land clearing, excavation, or stump removal that has <b>NOT</b> been evaluated by NRCS? If "YES", indicate the year(s): _____				X
B. Improve or modify an existing drainage system that has <b>NOT</b> been evaluated by NRCS? If "YES", indicate the year(s): _____				X
C. Maintain an existing drainage system that has <b>NOT</b> been evaluated by NRCS? If "YES", indicate the year(s): _____ <b>Note:</b> Maintenance is the repair, rehabilitation, or replacement of the capacity of existing drainage systems to allow for the continued use of wetlands currently in agricultural production and the continued management of other areas as they were used before December 23, 1985. This allows a person to reconstruct or maintain the capacity of the original system or install a replacement system that is more durable or will realize lower maintenance or costs.				X
3. Check one or both boxes, if applicable; otherwise, continue to Part C.				
A. <input type="checkbox"/> Check this box only if the producer in Part A has FCIC reinsured crop insurance and filing this form represents the <u>first time</u> the producer in Part A, including any affiliated person, has been subject to HELC and WC provisions.				
B. <input type="checkbox"/> Check this box if either of the following applies to the producer and crop year entered in Part A: • Is a tenant on a farm that is/will not be in compliance with HELC and WC provisions because the landlord refuses to allow compliance, but all other farms not associated with that landlord are in compliance. (AD-1026B, Tenant Exemption Request, must be completed). • Is a landlord of a farm that is/will not be in compliance with HELC and WC provisions because of a violation by the tenant on that farm, but all other farms not associated with that tenant are in compliance. (AD-1026C, Landlord or Landowner Exemption Request, must be completed).				
<b>PART C – CERTIFICATION OF COMPLIANCE</b>				
I have read the AD-1026 Appendix and understand and agree to the terms and conditions therein on all land in which I (or the producer in Part A if different) and any affiliated person have or will have an interest. I understand that eligibility for certain USDA program benefits is contingent upon this certification of compliance with HELC and WC provisions and I am responsible for any non-compliance. I understand and agree that this certification of compliance is considered continuous and will remain in effect unless revoked or a violation is determined. I further understand and agree that:				
<ul style="list-style-type: none"> <li>all applicable payments must be refunded if a determination of ineligibility is made for a violation of HELC or WC provisions.</li> <li>a revised Form AD-1026 must be filed if there are any operation changes or activities that may affect compliance with the HELC and WC provisions. I understand that failure to revise Form AD-1026 for such changes may result in ineligibility for certain USDA program benefits or other consequences.</li> <li>affiliated persons are also subject to compliance with HELC and WC provisions and their failure to comply or file Form AD-1026 will result in loss of eligibility for applicable benefits to any individuals or entities with whom they are considered affiliated.</li> </ul>				
<b>Producer's Certification:</b> I hereby certify that the information on this form is true and correct to the best of my knowledge, and I authorize NRCS to make an HELC/WC and/or certified wetland determination on the field, tract, or farm numbers listed in Part D.				
1A. Producer's Signature (By) <i>John Person</i>		1B. Title/Relationship (if Signing in Representative Capacity) President		1C. Date (MM-DD-YYYY) 07-10-2014
<b>FOR FSA USE ONLY</b> (for referral to NRCS) Sign and date if NRCS determination is needed.		2A. Signature of FSA Representative		2B. Date (MM-DD-YYYY)

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306 Completing and Obtaining AD-1026 (Continued)

B Example of AD-1026, Page 2

The following is an example of AD-1026, page 2.

\*--

AD-1026 (06-30-14)	Page 2 of 2
<b>PART D - ADDITIONAL INFORMATION</b>	
1. If "YES" was checked in Items 1 or 2 of Part B, provide the following information for the land to which the answer applies:	
A. Farm and/or tract/field number: _____	
B. Activity: _____	
C. Current land use (specify crops): _____	
D. County: _____	
2. Use the space below to provide any other additional information.	

**IMPORTANT:** If you are unsure about the applicability of HELC and WC provisions to your land, contact your local USDA Service Center for details concerning the location of any highly erodible land or wetland and any restrictions applying to your land according to NRCS determinations before planting an agricultural commodity or performing any drainage or manipulation. Failure to certify and properly revise your compliance certification when applicable may: (1) affect your eligibility for USDA program benefits, including whether you qualify for reinstatement of benefits through the Good Faith process; and (2) result in other consequences.

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended) and Section 1619 of the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246; 7 USC 8791). The authority for requesting the information identified on this form is 7 CFR Part 12, and the Food Security Act of 1985 (Pub. L. 99-198, 16 USC 3801 et seq.), as amended. The information will be used to determine eligibility to receive USDA loans or other program benefits that are subject to highly erodible land and wetland conservation provisions. The information collected on this form may only be disclosed in accordance with applicable law. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to receive USDA loans or other program benefits that are subject to highly erodible land and wetland conservation provisions.

This information collection is exempted from the Paperwork Reduction Act (Section 2608 of Pub. L. 113-79; 16 USC 3846). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided.

**RETURN THIS COMPLETED FORM AD-1026 TO YOUR COUNTY FARM SERVICE AGENCY (FSA) OFFICE.**

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited basis will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider and employer.

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306 Completing and Obtaining AD-1026 (Continued)

C Completing AD-1026

Producers shall complete AD-1026 according to the following table.

\*--

Item	Instruction
<b>Part A – Basic Information</b>	
1	Enter producer’s full name or the name of the business entity applying for USDA program benefits.
2	Enter last 4 digits of the producer’s SSN or tax ID number.
3	Enter crop year for which benefits are being requested. In most cases, it will be the current crop year. However, if applying for program benefits for a past year, enter the specific year applicable to the application.
4	List all affiliated persons with farming interests. Only affiliated persons of the producer requesting program benefits with farming interests are required to complete AD-1026. See AD-1026 Appendix, item 7 to determine affiliated persons.
5	<p>Check this box if the producer or any affiliated person does <b>not</b> have an interest in land that could produce an agricultural commodity.</p> <p>If this box is checked, go to Part C.</p> <p><b>Example:</b> Producer A is a honey producer that files AD-1026 for FSA program participation (ELAP and NAP). Producer A’s hives are not placed on any land that the producer has an interest in and honey is their only crop. In this situation, the box would be checked in item 5.</p>
<b>Part B – HELC/WC Compliance Questions</b>	
1	<p>ENTER “X” in either the “Yes” or “No” column.</p> <p>Answer “Yes” if during the crop year entered in Part A, or the term of a requested USDA loan, the producer in Part A did or will plant and produce an agricultural commodity on land for which a HEL determination has <b>not</b> been made.</p> <p>If “Yes” is answered, FSA will request a HEL determination from NRCS for the specific fields provided in Part D.</p>
2	<p>ENTER “X” in either the “Yes” or “No” column for each of items 2A, 2B, and 2C.</p> <p>These questions refer to drainage activity. If “Yes” is answered in item 2A or 2B, FSA will request a wetland evaluation from NRCS for the specific areas listed in Part D.</p> <p>If “Yes” is answered in item 2C (maintenance), it does <b>not</b> require a certified wetland determination. NRCS will be notified of the intention to maintain an existing drainage system.</p>

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306 Completing and Obtaining AD-1026 (Continued)

C Completing AD-1026 (Continued)

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Item	Instruction
<b>Part B – HELC/WC Compliance Questions (Continued)</b>	
3	<p>Check <b>box 3A</b> if the producer in Part A has FCIC reinsured crop insurance and the filing of AD-1026 represents the first time the producer in Part A, including any affiliated person, has been subject to HELC and WC provisions.</p> <p>Check <b>box 3B</b> if either of the following applies to the producer in Part A for the specified crop year in Part A:</p> <ul style="list-style-type: none"> <li>• is a tenant on a farm that will <b>not</b> be in compliance with HELC and WC provisions because the landlord refuses to allow compliance, but other farms associated with that landlord are in compliance. AD-1026B must be completed.</li> <li>• is a landlord of a farm that is or will not be in compliance with HELC and WC provisions because of a violation by the tenant on that farm, but other farms not associated with that tenant are in compliance. AD-1026C must be completed.</li> </ul> <p>If neither box 3A nor 3B are checked, go to Part C.</p>
<b>Part C – Certification of Compliance</b>	
1	<p>The producer shall read the Certification of Compliance statement and sign and date.</p> <p>The producer should <b>not</b> sign AD-1026 if the producer’s farming operation is <b>not</b> in compliance with all HELC and WC provisions.</p>
2	This item is for FSA use <b>only</b> .
<b>Part D – Additional Information</b>	
1	This item must be completed only if “Yes” was answered in Part B, item 1 or 2. List farm, tract, and field number in item A. Briefly describe activity in item B. List land use and specify crops in item C. List the location county in item D.
2	This item is to provide space for any additional information provided in item 1.

--\*

307-327 (Reserved)



## Section 2 AD-1026 Appendix and Producer Farm Data Report

## 328 AD-1026 Appendix

## A Example of AD-1026 Appendix

The following is an example of AD-1026 Appendix.

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<p>This form is available electronically.  <b>AD-1026 Appendix</b>          (06-30-14)</p>	<p>U.S. DEPARTMENT OF AGRICULTURE          Farm Service Agency</p>
<p><b>APPENDIX TO FORM AD-1026          HIGHLY ERODIBLE LAND CONSERVATION (HELIC) AND          WETLAND CONSERVATION (WC) CERTIFICATION</b></p>	
<p><b>1. Overview</b></p> <p>The following conditions of eligibility are required for a producer to receive any U.S. Department of Agriculture (USDA) loans or other program benefits that are subject to highly erodible land conservation (HELIC) and wetland conservation (WC) provisions. By signing Form AD-1026, the producer certifies receipt of this appendix, and unless an exemption has been granted by USDA, agrees to all of the following on all farms in which the producer, and any affiliated person to the producer (as specified in 7 CFR Part 12), has an interest:</p> <ul style="list-style-type: none"> <li>• NOT to plant or produce an agricultural commodity on highly erodible land or fields unless being farmed in accordance with a conservation plan or system approved by NRCS.</li> <li>• NOT to plant or produce an agricultural commodity on a converted wetland.</li> <li>• NOT to convert a wetland by draining, dredging, filling, leveling, removing woody vegetation, or any other activity that results in impairing or reducing the flow and circulation of water in a way that would allow the planting of an agricultural commodity.</li> <li>• NOT to use proceeds from any FSA farm loan, insured or guaranteed, or any USDA cost-share program, in such a way that might result in negative impacts to a wetland, except for those projects evaluated and approved by NRCS.</li> </ul>	
<p><b>2. Statutory and Regulatory Authority</b></p> <p>The Food Security Act of 1985, as amended, requires producers participating in most programs administered by the Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS), and the Risk Management Agency (RMA) to comply with HELIC and WC provisions on all land owned or farmed that is considered highly erodible or a wetland unless USDA determines an exemption applies. Producers participating in these programs, and any individual or entity considered to be an affiliated person of a participating producer, are subject to these provisions. The regulations covering these provisions are set forth in the Code of Federal Regulations at 7 CFR Part 12; all such provisions, whether or not explicitly stated herein, shall apply.</p>	
<p><b>3. Explanation of Terms</b></p> <p><u>Agricultural commodity</u> is any crop planted and produced by annual tilling of the soil, including tilling by one-trip planters, or sugarcane.</p> <p><u>Highly erodible land</u> is any land that has an erodibility index of 8 or more.</p> <p><u>Highly erodible fields</u> are fields where either:</p> <ul style="list-style-type: none"> <li>• 33.33 percent or more of the total field acreage is identified as soil map units that are highly erodible; or</li> <li>• 50 or more acres in such field are identified as soil map units that are highly erodible.</li> </ul> <p><u>Wetland</u> is an area that:</p> <ul style="list-style-type: none"> <li>• has a predominance of hydric soils (wet soils);</li> <li>• is inundated or saturated by surface or groundwater (hydrology) at a frequency and duration sufficient to support a prevalence of hydrophytic (water tolerant) vegetation typically adapted for life in saturated soil conditions; and</li> <li>• under normal circumstances supports a prevalence of such vegetation, except that this term does not include lands in Alaska identified as having a high potential for agricultural development and a predominance of permafrost soils.</li> </ul>	

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## 328 AD-1026 Appendix (Continued)

## A Example of AD-1026 Appendix (Continued)

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<p><b>AD-1026 Appendix</b> (06-30-14)</p> <p><b>4. NRCS and FSA Determinations</b></p> <p>When making HELC and WC compliance determinations:</p> <ul style="list-style-type: none"> <li>• NRCS makes technical determinations; these include:           <ul style="list-style-type: none"> <li>○ For HELC compliance:               <ul style="list-style-type: none"> <li>▪ whether land is considered highly erodible;</li> <li>▪ establishing conservation plans or systems; and</li> <li>▪ whether highly erodible fields are being farmed in accordance with a conservation plan or system approved by NRCS.</li> </ul> </li> <li>○ For WC compliance:               <ul style="list-style-type: none"> <li>▪ whether land is a wetland and if certain technical exemptions apply, such as prior converted; and</li> <li>▪ whether a wetland conversion has occurred.</li> </ul> </li> </ul> </li> <li>• FSA makes eligibility determinations, such as who is ineligible based upon NRCS technical determinations of non-compliance. FSA also acts on requests for application of certain eligibility exemptions, such as the good faith relief exemption.</li> </ul> <p>FSA maintains the official USDA records of highly erodible land and wetland determinations. The determinations are recorded both within the geographic information system and the automated farm and tract records maintained by FSA; however, it is important to know that determinations may not include all of a producer's land. If a producer is uncertain of the highly erodible land and wetland determinations applicable to their land, the producer should contact the appropriate USDA Service Center for assistance.</p> <p><b>5. HELC and WC Non-Compliance - FSA and NRCS Programs</b></p> <p>Producers who are not in compliance with HELC and WC provisions are not eligible to receive benefits for most programs administered by FSA and NRCS and if a producer received program benefits and is later found to be non-compliant, the producer may be required to refund all benefits received and/or may be assessed a penalty.</p> <p>In particular, unless exemptions apply, a producer participating in FSA and NRCS programs must: for all highly erodible fields, be in compliance with a conservation plan or system approved by NRCS; not have planted or produced an agricultural commodity on a wetland converted after December 23, 1985; and, after November 28, 1990, must not have converted a wetland for the purpose, or to have the effect, of making the production of an agricultural commodity possible on such converted wetland.</p> <p>A producer who violates HELC or WC provisions is ineligible for applicable FSA and NRCS benefits for the year(s) in violation. A planting violation, whether on highly erodible land or a converted wetland, results in ineligibility for benefits for the year(s) when the planting occurred. A wetland conversion violation results in ineligibility 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<sup>st</sup> of the subsequent year.</p> <p><b>6. HELC and WC Non-Compliance - Risk Management Agency - Crop Insurance Policies Reinsured by the Federal Crop Insurance Corporation</b></p> <p>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 insurance if the producer:</p> <ul style="list-style-type: none"> <li>• has not filed a completed Form AD-1026 with FSA certifying compliance with HELC and WC provisions; or</li> <li>• is not in compliance with HELC and WC provisions.</li> </ul> <p>Unless an exemption applies, a producer must:</p> <ul style="list-style-type: none"> <li>• for all highly erodible fields, be in compliance with a conservation plan approved by NRCS;</li> <li>• not plant or produce an agricultural commodity on a wetland converted after February 7, 2014; and</li> <li>• not have converted a wetland for the purpose, or to have the effect, of making the production of an agricultural commodity possible on such converted wetland after February 7, 2014.</li> </ul>	<p>Page 2 of 3</p>
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A Example of AD-1026 Appendix (Continued)

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<p><b>AD-1026 Appendix</b> (06-30-14)</p>	<p>Page 3 of 3</p>
<p>A producer is ineligible for any premium subsidy paid by FCIC on all policies and plans of insurance for the reinsurance year (July 1 – June 30) following the reinsurance year of a final determination of a violation of HELC or WC provisions, including all administrative appeals, unless specific exemptions apply. Further, a 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 have a completed Form AD-1026 on file with FSA certifying compliance on or before the June 1 prior to the beginning of the subsequent reinsurance year (July 1), unless otherwise exempted. RMA will contact FSA to determine compliance with HELC and WC provisions and the filing of Form AD-1026 prior to the June 30 end of the reinsurance year. If the producer is not in compliance and is not exempt, the producer will be ineligible for premium subsidy for all crops with a sales closing date between July 1 through the next June 30.</p>	
<p><b>7. Affiliated Persons</b></p> <p>Any affiliated person of a producer requesting benefits subject to HELC and WC provisions must also be in compliance with those provisions. Ineligibility of a producer will also apply to affiliated persons of that producer. If an affiliated person has a farming interest (listed as owner, operator, or other producer on any farm), the affiliated person must also file Form AD-1026 certifying compliance with HELC and WC provisions in order for the producer requesting benefits to be eligible.</p>	
<p><b>Use this table to determine affiliated persons who must be in compliance with HELC and WC provisions and file Form AD-1026.</b></p>	
<p><i><b>IF</b> the producer requesting benefits is a (an) . . .</i></p>	<p><i><b>THEN</b> affiliated persons with farming interests who must be in compliance with HELC and WC provisions and file Form AD-1026 are. . .</i></p>
<p>individual</p>	<p>spouse or minor children with separate farming interests, or who receives benefits under their individual ID number.</p>
<p><b>NOTE:</b> If the individual filing is a minor child, the parents shall be listed as affiliated persons.</p>	<p>estates, trusts, partnerships, and joint ventures in which the individual filing, or the individual's spouse or minor children have an interest</p>
<p>general partnership</p>	<p>corporations in which the individual filing or the individual's spouse or minor children have more than 20% interest.</p>
<p>limited partnership</p>	<p>first level members of the entity.</p>
<p>limited liability company</p>	
<p>joint venture</p>	
<p>estate</p>	
<p>irrevocable or revocable trust</p>	
<p>Indian tribal venture or group</p>	
<p>corporation with stockholders</p>	<p>first level shareholders with more than 20% interest in the corporation.</p>
<p><b>IMPORTANT NOTICE:</b> Signature on Form AD-1026 gives representatives of USDA authorization to enter upon and inspect all farms in which the producer in Part A of Form AD-1026 has an interest for the purpose of confirming HELC and WC compliance.</p>	
<p><b>NOTE:</b> <i>The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended) and Section 1619 of the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246; 7 USC 8791). The authority for requesting the information identified on Form AD-1026 is 7 CFR Part 12, and the Food Security Act of 1985 (Pub. L. 99-198, 16 USC 3801 et seq.), as amended. The information will be used to determine eligibility to receive USDA loans or other program benefits that are subject to highly erodible land and wetland conservation provisions. The information collected on Form AD-1026 may only be disclosed in accordance with applicable law. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to receive USDA loans or other program benefits that are subject to highly erodible land and wetland conservation provisions.</i></p> <p><i>This information collection is exempted from the Paperwork Reduction Act (Section 2608 of Pub. L. 113-79; 16 USC 3846). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided.</i></p> <p><b>RETURN THE COMPLETED FORM AD-1026 TO YOUR COUNTY FARM SERVICE AGENCY (FSA) OFFICE.</b></p>	
<p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited basis will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).</small></p> <p><small>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</small></p>	

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**328 AD-1026 Appendix (Continued)****B Purpose of AD-1026 Appendix**

AD-1026 Appendix contains the eligibility conditions for HELC and WC compliance.

**C Explaining AD-1026 Appendix to Producers**

AD-1026 Appendix shall be provided to the producer before the producer completes AD-1026 and certifies compliance in Part C, item 1A. Before AD-1026 is completed, the County Office shall:

- have the producer read AD-1026 Appendix
- answer any questions the producer may have
- explain that by signing AD-1026, Part C, item 1A, the producer is certifying compliance with the provisions on AD-1026 Appendix.

**D Distributing AD-1026 Appendix**

County Offices shall provide a copy of both AD-1026 Appendix and AD-1026 to the producer upon completing the Continuous AD-1026 Certification statement in AD-1026, Part C, item 1A.

**329 Printing and Using Producer Farm Data Report**

**A Printing Producer Farm Data Report**

A single Producer Farm Data Report covering all of the producer's farming interests in the country may be printed from any County Office according to 3-CM.

**B Using Producer Farm Data Report**

The Producer Farm Data Report includes the following:

- all of a producer's farming interests by county, farm, and tract numbers
- whether the tract includes any fields with HEL or wetlands.

The information on the Producer Farm Data Report may be useful to a producer when completing the questions on AD-1026. However, its use is **not** a requirement for producer certification on AD-1026.

**330-355 (Reserved)**



Section 3 Referrals to NRCS

356 When to Refer AD-1026 to NRCS

A Background

AD-1026 documents the producer’s cropping, drainage, and land manipulation intentions for determining whether a referral to NRCS for HEL or wetland determinations is necessary.

If referrals to NRCS are necessary, then AD-1026 serves as the transmittal document.

B Reviewing AD-1026

County Offices shall review AD-1026 completed by the producer and refer AD-1026 to NRCS when either of the following applies:

- \*--“Yes” is answered in Part B, item 1, 2A, 2B, or 2C--\*
- there is reason to believe the questions were not answered correctly and an NRCS determination is necessary before FSA can determine whether the producer is out of compliance.

\* \* \*

**356 When to Refer AD-1026 to NRCS (Continued)**

**C Referral to NRCS Because of Maintenance**

\*--When producers answer “Yes” on AD-1026, Part B, item 2C, they are certifying that they intend to perform maintenance on a drainage system or other manipulation of a wetland that took place before December 23, 1985. AD-1026, Part C, item 2 instructs FSA to refer a copy of AD-1026 when Part B, item 1, 2A, 2B, or 2C is answered “Yes”.

NRCS assistance is **not** required for normal maintenance of existing drainage systems. Therefore, NRCS-CPA-026e will **not** be issued by NRCS in response to receiving AD-1026 on which only Part B, item 2C is answered “Yes”. However, NRCS will maintain a record of these AD-1026’s as a record of maintenance that has been performed.

FSA County Offices shall provide NRCS with an “Informational Copy” of AD-1026 when the only reason for the referral is a “Yes” designation in Part B, item 2C.--\*

Since NRCS-CPA-026e will **not** be provided to FSA in these cases, the FSA County Office shall **not** indicate a referral to NRCS is “pending” in the producer’s subsidiary file according to 3-PL (Rev. 1), subparagraph 29 C.

**357 Preparation for Referral to NRCS**

**A Referrals to NRCS**

When a referral to NRCS is necessary according to paragraph 356, use the following table to initiate the referral.

<b>IF NRCS determination is...</b>	<b>THEN the County Office shall...</b>
<b>not</b> required in another county	complete the steps in subparagraph B for their County Office.
required in another county	provide a copy of AD-1026 to the applicable County Office.

357 Preparation for Referral to NRCS (Continued)

**B County Office Referrals to NRCS**

County Offices shall prepare the necessary documents for referral to NRCS for HEL or wetland determinations for land located in their counties according to the following table.

<b>Task</b>	<b>Action</b>
Prepare copies of aerial imagery	<p>Prepare 3 complete sets of copies that require determinations as follows.</p> <ul style="list-style-type: none"> <li>• List the tract number or numbers with the owner’s name on the reverse side of the copy or attach a copy of the Farm Producer Data Report and circle applicable tract numbers.</li> <li>• Delineate fields or subdivisions of fields for which a “Yes” answer on *--AD-1026, Part B, item 1 or 2 applies and determinations are--* needed.</li> <li>• Identify any drainage activity completed or proposed.</li> </ul> <p><b>Note:</b> Determinations are needed for:</p> <ul style="list-style-type: none"> <li>• fields that either have been or will be planted to agricultural commodities</li> <li>• drainage activities that have <b>not</b> been previously evaluated by NRCS.</li> </ul>
Complete AD-1026, *--Part C, item 2	<p>On AD-1026, Part C, item 2:--*</p> <ul style="list-style-type: none"> <li>• enter the date AD-1026 is referred to NRCS</li> <li>• County Office employee responsible for the referral to NRCS shall sign and date.</li> </ul>
Send to NRCS	Attach the prepared imagery to copies of AD-1026, and send to NRCS.

357 Preparation for Referral to NRCS (Continued)

**C Example of AD-1026 Referral for Multi-County Producer**

The following table provides an example of referring AD-1026 to NRCS for a multi-county producer.

**Situation:** Producer X has farming interests in Counties A, B, and C. County C is the \*--recording County Office. The question in AD-1026, Part B, item 2A is answered “Yes”. County A, farm 200, tract 1025, field 1, is indicated on AD-1026, Part D.--\*

Step	Action
1	County C makes a copy of AD-1026 and forwards to County A.
2	County A receives AD-1026 for Producer X from recording County C. County A shall: <ul style="list-style-type: none"> <li>• complete a farm photocopy for the field that needs a determination as listed in *--AD-1026, Part D--*</li> <li>• contact the producer, if additional information is needed</li> <li>• attach a farm photocopy to a copy of AD-1026, and send to NRCS.</li> </ul>
3	When NRCS determination is received, County A shall: <ul style="list-style-type: none"> <li>• record determination for the tract according to 3-CM</li> <li>• record NRCS determination in the Service Center GIS system</li> <li>• forward copies of NRCS-CPA-026e to recording County C.</li> </ul>

358-399 (Reserved)

**505 Possible HELC Compliance Deficiencies Discovered Through Technical Assistance (Continued)**

**C Referrals to NRCS for Technical Assistance (Continued)**

The following table provides some situations and the procedure to be used by NRCS and FSA for HELC observations considered technical assistance.

Technical Assistance Determinations	FSA Action	NRCS Action
<p>Determination needed for the current year by FSA on FSA-569 because the records show that a producer who wants to participate in the current year is ineligible because a prior year HELC violation determination was <b>not</b> resolved.</p> <p><b>Note:</b> If the producer insists on signing AD-1026 to certify <b>*--compliance in Part C, item 2,--*</b> do <b>not</b> consider it technical assistance according to this paragraph. Prepare FSA-569 according to paragraph 502 and do <b>not</b> identify it as technical assistance.</p>	<p>Prepare FSA-569 according to paragraph 502.</p> <p>Enter at the top of FSA-569, “Referred for Technical Assistance”.</p>	<p>NRCS will process according to subparagraph A.</p> <p>NRCS will complete FSA-569 to show HELC compliance for the crop year entered on FSA-569 if subparagraph A requirements are met.</p> <p><b>Note:</b> FSA-569’s that are <b>not</b> identified by FSA as technical assistance will:</p> <ul style="list-style-type: none"> <li>• <b>not</b> be processed according to this paragraph</li> <li>• require a good faith determination according to Part 4 if an exemption is requested.</li> </ul>

**505 Possible HELC Compliance Deficiencies Discovered Through Technical Assistance (Continued)**

**C Referrals to NRCS for Technical Assistance (Continued)**

Technical Assistance Determinations	FSA Action	NRCS Action
The producer reports a HELC problem situation that he or she needs to resolve.	<p>Refer the producer to NRCS for technical assistance.</p> <p>Upon request by NRCS, provide a complete list of names and addresses of:</p> <ul style="list-style-type: none"> <li>• operator of the farm</li> <li>• owner of the tract</li> <li>• tenants and sharecroppers on the farm.</li> </ul>	<p>NRCS will request a complete list of names and addresses of persons associated with the farm with the potential deficiency.</p> <p>NRCS will process according to subparagraph A.</p>
NRCS observes a potential compliance deficiency while providing technical assistance.	<p>Upon request by NRCS, provide a complete list of names and addresses of:</p> <ul style="list-style-type: none"> <li>• operator of the farm</li> <li>• owner of the tract</li> <li>• tenants and sharecroppers on the farm.</li> </ul>	

**506-599 (Reserved)**

702 Using FSA-493

**A Administrative County Office Responsibilities**

The County Office that maintains the farm and tract records for the land on which a violation has occurred, referred to as an administrative County Office, is responsible for:

- initiating FSA-493's
- coordinating with other counties for completing FSA-493's
- ensuring that FSA-493's are reported to cover all land for each producer and affiliate who is associated with the violating farm.

**B Other County Office Responsibility**

Other County Office is a county that maintains farm and tract records for a producer who is associated with a violating farm that is administered by another County Office.

Other County Offices shall complete FSA-493, Part C for FSA-493's that are referred from the administrative County Office, according to this paragraph.

**C Administrative County Office Action**

The administrative County Office receiving FSA-569 shall determine the total number of FSA-493's that are required for the administrative County Office and other counties according to the following table.

Step	Action
1	FSA-569 is received from NRCS, which indicates that: <ul style="list-style-type: none"> <li>• a violation has occurred or confirms that an area is CW that was planted to an agricultural commodity</li> <li>• NRCS determinations are final technical determinations according to 7 CFR Part 614.</li> </ul>
2	Determine the following producers associated with the farm reported on FSA-569: <ul style="list-style-type: none"> <li>• operator, tenants, and sharecroppers on the farm</li> <li>• owner of the tract.</li> </ul> All of the producers recorded on FSA-569 shall be reported on FSA-493's, whether or not the producers will be affected by the violation. This includes both participating and nonparticipating producers.

702 Using FSA-493 (Continued)

C Administrative County Office Action (Continued)

Step	Action
3	Determine whether producers derived from step 2 filed AD-1026 effective for the crop year entered in FSA-569, item 10.
4	*--Determine affiliated persons from AD-1026, Part A, item 4 for producers--* determined to have filed AD-1026 according to step 3.
5	Print the Producer Farm Data Report for producers and affiliated persons.
6	If affiliated persons determined in step 4 are <b>not</b> recorded in FRS, no further action is required.  <b>Note:</b> Only affiliates of producers who filed AD-1026's will be reported.
7	Determine other counties where producers have a farming interest.
8	Complete separate FSA-493:  <ul style="list-style-type: none"> <li>• Parts A and B for each county where producers on the violating farm or their affiliated persons have farming interests determined in step 7</li> <li>• Parts A, B, and C for producers on the violating farm reported on FSA-569 and affiliated persons in FRS.</li> </ul> FSA-493, item 1 shall be checked either:  <ul style="list-style-type: none"> <li>• "No" for first time reports for the producer</li> <li>• "Yes" if reporting revisions from a prior report.</li> </ul>

702 Using FSA-493 (Continued)

**F Completing FSA-493, Part A, Item 9**

Entries recorded on FSA-569, Part C, item 1 shall be used to determine the block that shall be checked on FSA-493, Part A, item 9, according to the following table.

Statement Checked on FSA-569, Part C, Item 1	Item to Check on FSA-493, Part A	
	Item	Violation
The field does NOT meet requirements of the HELC provisions.	9 A	HELC
The area identified is a CW.	9 B	Planting on CW  <b>Note:</b> FSA-493's shall <b>not</b> be prepared for producers on the farm unless FSA determined that CW was planted to an agricultural commodity.
The area identified is a wetland that was converted after 11/28/90.	9 C	Wetland Conversion after 11/28/90

**G Completing FSA-493, Part B**

FSA-493, Part B shall be completed by the administrative County Office according to the following table.

Item	Instructions
10 through 12	Enter the producer's name, last 4 digits of ID number, and ID type.
13	Check whether the producer in item 10 filed AD-1026 applicable to the crop *--year entered in Part A, item 3.--*
14	Approved GPR amount from AD-1068 shall be entered on one FSA-493 only by the administrative County Office for the producer. Items 15 and 16 will be the same as item 4 for the producer.  <b>Note:</b> Item 14 shall be left blank for FSA-493's prepared for other counties.
15 and 16	Enter State and county name and code.

702 Using FSA-493 (Continued)

**H Preparing, Filing, and Sending FSA-493's to Other Counties**

The administrative County Office shall:

- maintain a folder of pending FSA-493's
- send other counties FSA-493's according to the following table.

Step	Action
1	Prepare a folder for each tract for which a violation determination requires preparing FSA-493's according to this paragraph.
2	Place the following FSA-493's in the FSA-493 file: <ul style="list-style-type: none"> <li>• original FSA-493's prepared for the administrative County Office</li> <li>• a copy of FSA-493's prepared for other counties.</li> </ul>
3	Send original FSA-493's to the applicable other county listed in FSA-493, Part B.

**I Other Counties Preparing FSA-493's**

Other counties that receive FSA-493's, with Parts A and B completed, shall do the following.

Step	Action
1	Print the Producer Farm Data Report for the producer recorded in FSA-493, Part B.
2	Complete FSA-493, Part C according to subparagraphs J through L.
3	Maintain a file with copies of FSA-493's that are prepared according to step 2.
4	Send original completed FSA-493 to the County Office recorded in FSA-493, Part A.

**J Information Needed to Complete FSA-493, Part C**

The following information will be required for producers recorded on FSA-493, Part B to complete Part C:

- Producer Farm Data Report printed for the producer by the County Office indicated in FSA-493, Part B, item 16
- the amount of FSA and NRCS benefits requested by the producer for all programs that are covered by HELC and WC provisions for the crop year entered in FSA-493, Part A, item 3.

**Note:** All farms in which the producer has an interest and **all** benefits requested must be recorded for every producer for whom FSA-493 is required.

**Reports, Forms, Abbreviations, and Delegations of Authority**

**Reports**

This table lists the required reports in this handbook.

<b>Report Control Number</b>	<b>Title</b>	<b>Reporting Period</b>	<b>Submission Date</b>	<b>Negative Report</b>	<b>Reference</b>
PA-124R (AD-1026B)	Highly Erodible Land Exemption Request	Prior Crop Year	January 10	Yes	604

**Forms**

This table lists all forms referenced in this handbook.

<b>Number</b>	<b>Title</b>	<b>Display Reference</b>	<b>Reference</b>
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification	306	Text
AD-1026 Appendix	Appendix to Form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification	328	303, 304, 306
AD-1026B	Highly Erodible Land Conservation Exemption Request	604	306, 703
AD-1026C	Landlord or Landowner Exemption Request	603	306, 602
AD-1026D	Relief for Undue Economic Hardship Request Highly Erodible Land Conservation	204	
AD-1068	Request for Good Faith Relief – Highly Erodible Land Conservation (HELC) Violation	622	616, 621, 623, 702, 703
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**Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)**

**Abbreviations Not Listed in 1-CM**

The following abbreviations are not listed in 1-CM.

<b>Approved Abbreviation</b>	<b>Term</b>	<b>Reference</b>
1985 Act	Food Security Act of 1985	1, 2, 200, 210, 300, 604
AW	artificial wetland	212, 226, 421, 422, Ex. 2
CD	Conservation District	19, 200, 203, Ex. 2
CW	converted wetland (converted after December 23, 1985)	210, 218, 421, 502, 633, 701, 702, Ex. 2
FW	farmed wetland	210, 226, 227, 421, 422, Ex. 2
FWP	farmed wetland pasture	226, 227, 421, Ex. 2
GPR	graduated payment reduction	616, 621-623, 702
MW	minimal effect wetland	212, 213, 218, 421, Ex. 2
NHEL	not highly erodible land	201, 202, 400, 421
NW	nonwetland	212, 421
OO	owner and operator	702
OP	operator	702
OT	tenant or sharecropper	702
OW	owner	702
PC	prior converted wetland (converted before December 23, 1985)	210, 226, 421, 422, Ex. 2
SWCD	Soil and Water Conservation District	204, 622, 631, 632
W	wetland	Text, Ex. 2

**Re delegations of Authority**

None