

# Highly Erodible Land Conservation Fact Sheet

## Self-Certification

### Requirements

USDA participants are responsible for making all decisions necessary for applying the practices as scheduled in the conservation system or the conservation plan. Non-application of a specific conservation practice may result in soil losses in excess of the allowable level for compliance purposes.

When the practices in a conservation system are not applied as scheduled, and the lack of application results in soil erosion in excess of the requirements defined 7 CFR 12.23(b) and 7 CFR 12.23(h), that field and tract will be in noncompliance unless there is sufficient justification for the lack of conservation practice application. (See 7 CFR 12.5(a)(5) and 7 CFR 12.5(a)(6) for the variances or exemptions that can be granted).

If the system being applied is not documented in a conservation plan, the USDA participant that has planted the annually tilled agricultural commodity crop, as well as all signatories to the AD-1026, are responsible for demonstrating that the conservation system being used to produce an annually tilled agricultural commodity crop is in accordance with the soil protection provisions of the regulation at 7 CFR 12.23(b). The USDA participant must provide any or all records that are needed to complete the evaluation of the effectiveness of the conservation system actually being applied in comparison with the criteria contained in the FOTG.

A USDA participant may provide self-certification of—

- Compliance with the HELC/WC provisions (on the AD-1026).
- Application of the required HEL conservation plan or HEL conservation system practices.
- Crop residue measurements.

Farmers and ranchers may certify the application of practices required in the conservation system.

Measurement of crop residue in the field is an important consideration in determining the performance of cropping systems with regard to erosion control. Measurement of crop residue done by a producer or a third party hired for the purpose of making the measurement shall be considered that person's official measurement.

Measurements of crop residue must be performed using an acceptable technique. If a third-party technical service provider makes the measurements, that person must meet the certification requirements established by the U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) for the

State where the measurements are to be made. The individual farmer or rancher is responsible for the certifications or residue measurements made, and must provide NRCS with the appropriate documentation of implementation, if requested. NRCS must use the residue measurements provided by the producer or a qualified third-party vendor, unless the measurements are found to be incorrect.

### **For More Information**

NRCS, [FSA](#), Cooperative Extension Service, or your local conservation district can provide more information. Your [USDA Service Center](#) is listed in the telephone book under *U.S. Department of Agriculture*.

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