

For: State and County Offices

**HELIC/WC Compliance Provisions**

Approved by: Acting Deputy Administrator for Farm Programs



**1 Continued Applicability of HELIC/WC Compliance Provisions**

**A Background**

Statutory authority for HELIC/WC compliance is provided by the Food Security Act of 1985, as amended (the 1985 Act). Although subsequent Acts, including the 2008 Farm Bill, amended the 1985 Act, the statutory authority for HELIC/WC compliance is still the Food Security Act of 1985, as amended by those Acts. HELIC/WC provisions do not expire. The regulations set forth in 7 CFR Part 12 are still valid and in effect.

As provided in 7 CFR §12.4(c), anyone who converts a wetland for the purpose, or to have the effect, of making the production of an agricultural commodity possible shall be **ineligible** for specified USDA program benefits:

- during the crop year which is equal to the calendar year during which the violation occurred
- each subsequent crop year until the converted wetland is restored or mitigated before the beginning of such calendar year.

Accordingly, anyone who converts a wetland during calendar year:

- 2012, making the production of an agricultural commodity possible, is ineligible for 2012 and subsequent year benefits
- 2013, making the production of an agricultural commodity possible, is ineligible for 2013 and subsequent year benefits.

**B Purpose**

This notice provides a reminder to State and County Offices that HELIC/WC compliance provisions do not expire and remain in effect.

Disposal Date	Distribution
May 1, 2013	State Offices; State Offices relay to County Offices